NEW SERIES No. 27.

SELECTIONS FROM THE RECORDS

OF THE OFFICE OF THE

FINANCIAL COMMISSIONERS, PUNJAB.

Published by Authority.

No. 52.

CONTENTS

Lahore:
PRINTED AT THE "CIVIL AND MILITARY GAZETTE" PRESS,
BY SAMUEL T. WESTON
(Sole Contractors for Printing to the Punjab Government.)

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A.—FOREST ADMINISTRATION.

I.—General.

No. 297 S., dated Simla, 22nd July 1905.

From—L. H. Leslie Jones, Esquire, Senior Secretary to the Financial Commissioner, Punjab,
To—The Chief Secretary to Government, Punjab.

I am directed to submit for the consideration of Government copies of the marginally noted correspondence, relating to the forest areas in the Rawalpindi District, and to convey the following remarks.

(1). Deputy Commissioner Rawalpindi's letter No. 642 dated 23rd September 1904.
(2). Commissioner Rawalpindi's letter No. 3397, dated 1st October 1904.
(3). Senior Secretary to the Financial Commissioner's, letter No. 7561, dated 6th December 1904.
(4). Settlement Commissioner's letter No. 2063, dated 24th May 1903, with enclosures.
(5). Settlement Commissioner's letter No. 2297, dated 10th June 1905.

2. As observed by the Settlement Commissioner no question arises of a new forest settlement. But it will, Mr. Gordon Walker thinks, be clear from the correspondence that there is a great deal of confusion and uncertainty with regard to the very extensive areas of forest and waste which are the property of Government and it seems highly desirable that the opportunity of settlement operations being in progress should be taken to ascertain exactly and put on record what the existing rights of Government and of the people are, to deal with questions of disputed boundaries, and, generally, to prepare an intelligible and connected account of the various areas concerned.

3. The Financial Commissioner, I am to say, has considered the question whether Mr. Kitchin should not himself perform the work which it is now proposed to carry out, but on further consultation with the Settlement Commissioner he has come to the conclusion that this would be impossible. Mr. Kitchin has a very large settlement, covering six tahsils, to conduct, and in view of the large area of the forests in the Rawalpindi and Attock Districts, (*vide* the statement in the margin which is taken from the Annual Progress Report on Forest Administration for the year 1903-04), Mr. Gordon Walker thinks that it would be hopeless to expect Mr. Kitchin to complete his task within 5 years if this additional burden is imposed upon him. The work, moreover, is of such a nature that it can be carried out by a comparatively junior officer under the general direction of the Settlement Officer.

	Acres.
Reserved forests	211,312
Reserved forests under Military Department	13,261
Reserved Forests under Civil Department ...	31
Protected forests	48,665
Protected forests under Civil Department ..	10
Unclassed forests	229,137
	502,416

4. Mr. Gordon Walker accordingly supports the recommendations now made by the Settlement Commissioner, and I am to ask that sanction may be accorded to the employment of an Assistant Commissioner as Forest Assistant to the Settlement Officer, with the allowance of an Assistant Settlement Officer for a period of 18 months, and to the following subordinate establishment and expenditure :—

	Rs.
2 Naib Tahsildars at Rs. 80 per mensem for 6 months ...	960
2 Kanungos at Rs. 30 per mensem for 6 months	360
3 Orderlies at Rs. 7 per mensem for 18 months	252
Travelling allowance of Forest Assistant at Rs. 100 per mensem for 18 months	1,800
Travelling allowance of two Naib Tahsildars at Rs. 20 per mensem for 6 months	240
Tents for Forest Assistant	600
Warm clothing and uniform for orderlies	48
	4,260

5. I am to add that if the proposal now put forward meets with the approval of Government, the Financial Commissioner will be prepared to submit further proposals, defining more accurately the duties which the special officer

would have to perform and the powers which he would exercise. Generally speaking, his duties would be to have boundaries verified and properly marked, to inquire into and record existing rights, suggesting any modifications that might appear necessary, and to prepare a connected and intelligible account of the forests and waste areas in the old Rawalpindi District which are the property of Government.

6. There would necessarily be some delay in obtaining sanction to the appointment of the special officer. But the Financial Commissioner hopes that, if these proposals meet with approval, the required authority may be given so as to permit of operations being started early in the coming cold weather.

No. 642 G., dated 23rd September 1904.

From—Major C. P. EGERTON, I.A., Deputy Commissioner, Rawalpindi.

To—The Commissioner, Rawalpindi Division.

IN continuation of the correspondence ending with your No. 3058,* dated the 30th August 1904, I have the honour to forward copies of the correspondence noted in the margin which will explain the reasons for recommending that grazing rights in the Reserved Forests should be withdrawn from the surrounding villages.

* No. 15—2, dated 14th June 1904, from the Deputy Conservator of Forests, Rawalpindi Division, to the Assistant Commissioner, Murree.
No. 21 C. dated 17th June 1904, from the Deputy Conservator of Forests, to the Deputy Commissioner, Rawalpindi.
No. 3981 G. dated 12th July 1904, from the Deputy Commissioner to Deputy Conservator of Forests.
No. 149 G. dated 20th July 1904, from Deputy Conservator of Forests.
Demi-official, dated 4th August 1904, from Deputy Conservator of Forests.
No. 1761, dated 5th August 1904, from Conservator of Forests, Punjab.
No. 197 G., dated 28th August 1904, from Deputy Conservator of Forests.
No. 224 G., dated 10th September 1904, from Deputy Conservator of Forests.

2. There seems no doubt that these fires were due to deliberate incendiarism and for the purposes of obtaining larger grazing areas.

3. It seems absolutely necessary that the people should be taught that they cannot burn down Government forests with impunity. There is no doubt however that the grazing in these villages is very restricted, and that owing to the increase of population and of cattle in these villages the temptation to bring guzara lands under cultivation, and the consequent diminution of legitimate grazing areas causes the people to burn the pine needles in reserved forests in the hope of getting more grass.

4. The whole subject of grazing rights and rights of breaking up new land for cultivation requires a thorough revision, and I would suggest that the Settlement Officer be requested to particularly examine into these questions during the present settlement.

5. The Conservator of Forests in his endorsement No. 4765 G.,* contained in Deputy Conservator of Forests' No. 197 G.. dated 28th August 1904, states that he is prepared to engage a special extra temporary staff to ensure that the closure is strictly enforced.

No. 3397, dated 1st October 1904.

From—L. W. KING, Esquire, C.S.I., Commissioner, Rawalpindi Division.

To—The Senior Secretary to the Financial Commissioner, Punjab.

I HAVE the honour to forward for the Financial Commissioner's orders and for transmission to Government the documents marginally noted, containing proposals to close portions of the following forests in the Murree Tahsil to grazing and forest produce for five years as a punishment to the villages in their vicinity :—

* Copy of Deputy Commissioner, Rawalpindi's No. 587 G., dated 24th August 1904. and enclosures in original.
Copy of my No. 3058, dated 30th August 1904.
Copy of Deputy Commissioner, Rawalpindi's No. 642 G., dated 23rd September 1904, and enclosures in original.

Kachut Charihan Reserved Forests.
Phaphril Barahotar Protected Forests.

I support the recommendations of the Deputy Commissioner and the District Forest Officer, and recommend that the notifications be published by an early date.

* Not printed.

There can be no doubt from the correspondence forwarded that the firing of the forests was a wilful act of incendiarism, and it is equally certain that drastic measures are necessary not only to punish such offences—which unfortunately cannot on the present occasion be brought home to the particular offenders concerned—but to prevent their recurrence in future. I join with the Deputy Commissioner, however, in an expression of regret that I am forced to recommend the closure of these forests for so long a period, as I am well aware to what straits the villagers concerned will be reduced in consequence. There would seem to be no alternative however, for, under existing rules, the villages in fault cannot be punished by a fine, which, I venture to remark, would be a more fitting punishment in the present case.

3. As to paragraph 4 of the Deputy Commissioner's last letter, I should be glad if the enquiry referred to could be made as the forest administration under existing rules in the hill tracts of this district is a source of great discontent and much hardship to the people.

No. 7561, dated 6th December 1904.

From—The Senior Secretary to the Financial Commissioner, Punjab,

To—The Settlement Commissioner, Punjab.

Deputy Commissioner Rawalpindi's No. 642 G., dated 23rd September 1904, to address of Commissioner, Rawalpindi.

Commissioner Rawalpindi's No. 3397, dated 1st October 1904

I AM directed to forward copies of the letters marginally noted, and to request that the Settlement Officer, Rawalpindi, may be instructed to report, after consultation with the Deputy Commissioner, Rawalpindi, whether the special enquiry suggested in paragraph 4 of the Deputy Commissioner's letter is actually necessary.

No. 2063, dated Lahore, 24th May 1905.

From—The Hon'ble Mr. J. M. DOUIE, Settlement Commissioner, Punjab,

To—The Senior Secretary to the Financial Commissioner, Punjab.

Settlement Officer Rawalpindi's No. 557, dated 8th April 1905, with enclosure,—

Settlement Officer Rawalpindi's No. 565, dated 11th April 1905.—*

WITH reference to your No. 7561, dated 6th December 1904, regarding the question whether there is any need for a special forest enquiry in connection with the land revenue settlement of the Rawalpindi District, I have the honour to submit the correspondence noted in the margin. I took advantage of a recent visit to Rawalpindi to discuss the matter with the Commissioner, the Deputy Commissioner and the Forest Officer. There is no dissent as to the desirability of an enquiry, and I think it will be admitted that a good case for one has been made out. This is exactly what we should expect from the history of the forest settlement in the neighbouring district of Jhelum.

2. With reference to heads IV to VII of Mr. Kitchin's letter, boundaries should be checked in all classes of forests and clearly marked on the ground, the maps and records being amended wherever they are shown to be wrong. The demarcation of "chaks" included in the hill forests of Murree and Kahuta must also be carried out. The Forest Officer's records and the revenue records must be compared and brought into agreement. If, as a result, it is found that any land nominally included in a reserved forest does not actually belong to it, action can, if necessary, be taken under Section 26 of Act VII of 1878. No question of a new forest settlement by an officer invested with powers under Section 4 of the Forest Act arises. In this connection I may refer to Mr. Fenton's No. 4042, dated 23rd July 1896, to the Commissioner of Rawalpindi, on the subject of Mr. Talbot's enquiry into matters connected with the Jhelum Forest Settlement.

3. In the VIIIth and IXth heads of his report Mr. Kitchin has shown that an enquiry is wanted as to the suitability of the rules regarding unclassed forests and village waste in the two hill tahsils published in Punjab Government Notification No. 66, dated 9th February 1903, and also as to the question of the applicability of these rules to the Kallar Kahuta Circle of the Kahuta Tahsil. It is further necessary to define clearly to what land in villages in the plains tahsils the rules in Punjab Government Notification No. 457 F., dated 10th November 1879, apply (head X of report). There will be no difficulty in

* Not printed.

agreeing to Mr. Kitchin's proposition that "the administration of unclassed and almost treeless forests should be in the interests of the local land-owners," and if existing arrangements for selling the grazing sometimes fail to secure this result, they should be altered.

4. With reference to head XI of the report Mr. Coventry, the Forest Officer, raised no objections. In fact his views on the matter of goat grazing are quite as liberal as those of Mr. Kitchin. Proposals to extend goat grazing will have to be very closely scrutinized, but there is no reason for forbidding any consideration of the question.

5. It is obvious that, as suggested in head XII, an English note on the past history and present condition of each forest in the Rawalpindi District should be drawn up.

6. Mr. Kitchin's proposal that an Assistant Commissioner should be sent to him as Forest Assistant has my entire support. It is quite impossible for him to undertake the work unaided without seriously delaying the progress of re-assessment. The employment of the Assistant should be sanctioned for 18 months. It seems quite likely that his services will be required for that period. He should receive the same allowance as an Assistant Settlement Officer.

7. The other expenditure may be put at the following :—

	Rs.
1 Naib Tahsildar at Rs. 80 per mensem for 6 months ...	480
2 Kanungos at Rs. 50 per mensem for 6 months ...	360
2 Orderlies at Rs. 7 per mensem for 18 months	252
Travelling allowance of Forest Assistant at Rs. 100 per mensem	1,800
Travelling allowance of Naib Tahsildar at Rs. 20 per mensem for 6 months	120
Tents for Forest Assistant	600
Warm clothing and uniform for orderlies	48
Total ...	3,660

I have shown the orderlies' pay at Rs. 7 per mensem, as much of their work will be in the hills. For the same reason I have put the fixed travelling allowance of the Naib Tahsildar at Rs. 20 instead of Rs. 15. I might be instructed to meet so much of the cost as will fall within the present financial year from savings in the Settlement Budget, and, if they prove insufficient, to apply for an extra budget grant.

No. 557, dated Rawalpindi, 9th April 1905.

From—A. J. W. Kitchin, Esquire, C.S., Settlement Officer, Rawalpindi.

To—The Settlement Commissioner, Punjab.

Introductory.

1. I have the honour to reply to your endorsement No. 4563, dated 10th December 1904, calling for a report from me on the question whether there is any necessity for a special enquiry into forest rights at this settlement. In my letter No. 123, dated 31st January 1905, I asked to be allowed to delay the submission of the report till March on the ground that I was about to do village inspections in the hill tracts during the months of January and February. This was agreed to by your letter No. 581, dated 11th February 1905. I have now completed village inspections in the Rawalpindi and Gujar Khan Tahsils, in the Kallar Kahuta and Kahru Assessment Circles of the Kahuta Tahsil, and in the low hills of the Murree Tahsil and of the Pahar Circle of Kahuta. In these tracts my knowledge of local conditions is fairly close, and of course extends to every village and to every forest. Of the high hills of Murree and Kahuta and in the tahsils of Pindigheb and Fatehjang, I cannot pretend to more than a general knowledge. In the following report I propose to deal with all the six tahsils under settlement, although the last two tahsils are now included in the new Attock District. I shall have also to refer incidentally to the Attock Tahsil, which formed part of the old Rawalpindi District, but the settlement of which has recently been completed under the supervision of the Settlement Officer of Hazara.

II. There were five distinct kinds of forest administration in the old Rawalpindi District and much confusion has been caused in the past by failing to keep them distinct and consider them separately. They are as follows:—

Five classes of forest administration.

(1) The administration of reserved and protected forests in Murree and Kahuta.

(2) The administration of reserved and protected forests in the tahsils other than Murree and Kahuta. In the Gujar Khan Tahsil there is only one forest, Bagham, which is a protected forest.

(3) The Kala Chitta Forest on the borders of the Fatehjang, Pindigheb and Attock Tahsils.

(4) The control over unclassed forest, village waste and private lands in Murree and Kahuta.

(5) The control over village waste and private lands in the other tahsils of the old Rawalpindi District, excluding Murree and Kahuta.

I now proceed to discuss them separately.

III. The forest settlement of the Murree and Kahuta Tahsils was done by Mr. Robertson at last settlement. The work was carefully done, pillars erected and survey maps and record-of-rights prepared. The correspondence is all printed and an abstract is given in Chapter VIII of the Final Settlement Report. The amount of grazing given to each village was not inadequate having regard to the difficulties of forming the rakhs. The people express everywhere great discontent and clamour for more grazing, but as a general rule it would be impossible to give more grazing without serious damage to existing forests. Roughly the tribes concerned with the forest administration are four in number—Dhunds, Dhanials, Sattis and Janjuas, the last tribe being in the Kahuta Tahsil alone. The Dhund villages lie around the station of Murree, where the presence of large numbers of troops has created a great demand for wood, grass, milk and slaughter cattle. The Dhunds are turbulent and discontented and this has always been their character. They are now also very prosperous. Any relaxation of forest rules in their favour is not possible. It is well known that most of the wood sold in Murree station and to the Commissariat is stolen. The Dhanials in the south of Murree somewhat resemble the Dhunds, but are more respectable. The Sattis in the east of Murree and north of Kahuta are a far finer race of men, and the Janjuas of the east of Kahuta are the finest of all the hill tribes. These last two tribes do not hold land near the valuable forests and are much less troublesome than their neighbours. The Dhunds give, and have always given, so much trouble to the Administration that rules drawn up for the management of the hill forests are generally framed as a result of the depredations of the Dhunds, and the title of other tribes to consideration is apt to escape attention. It must, however, be accepted as an axiom that no forests can be thrown open to wood cutting and general grazing without great damage to the trees and undergrowth. The Dhunds indeed spare nothing and do much intentional damage, while complaining louder than all the other tribes together. Generally I do not recommend that the forest settlement should be revised, or grazing rights substantially extended. There are, however, certain points of lesser importance in connection with the Murree and Kahuta Forest Settlement which demand, I think, consideration and enquiry. These I proceed to discuss in the next paragraph.

Forest settlement of Murree and Kahuta.

IV. At the forest settlement a very large number of detached cultivated plots, known as chaks, were left in protected forests, being excluded from the forest and included in the property of the owners of adjoining villages. The chaks in the two tahsils aggregate more than 700 in number. In the Murree Tahsil many of these chaks are continuous with the land in the adjoining villages. The forest boundaries generally run straight between pillars, and proprietary fields falling inside the forest boundary are treated as chaks for the purpose of the revenue papers. Orders on the forest settlement were received after measurements were completed, and effect was given to the

Demarcation of chaks in protected forests in Murree and Kahuta.

orders in the maps already prepared. The chaks were not demarcated with pillars and there is no doubt that many mistakes crept in. Mistakes in hill measurements by Patwaris afford no cause for surprise, but in this case there have been difficulties in the way of correcting mistakes. The Conservator of Forests had not lost sight of the fact that the chaks in the protected forests needed to be demarcated, and a year ago a Forest Ranger was put on special duty to demarcate the chaks and erect pillars. The method followed by him was to check all the Patwari's measurements on the spot and erect loose stone pillars. A good deal of assistance was given to him by the settlement, and indeed his clerical establishment and his orderly were supplied from Settlement Funds, but he worked under the Deputy Conservator of Forests and reported only to him. He interpreted the papers for himself, while of course having no experience of revenue papers. I have personally inspected a good many chaks demarcated by him, and while fully admitting that the chaks as represented by him with pillars on the ground exactly represent, so far as I have seen, the corresponding distances recorded on the Patwari's maps, yet I find that in no case has any regard been paid to the possibility of previous measurements being incomplete or incorrect. The Ranger has undoubtedly exposed mistakes in the maps of last settlement, but the demarcation work done by him in no way settles the boundaries of every chak, but merely opens a vast field of further enquiry. There is no doubt whatever that the demarcation work must be done all over again from beginning to end. The Demarcation Officer has completed the work in the Kahuta Tahsil, and I have asked the District Forest Officer, with whom I have discussed the whole case, not to proceed with demarcation work in Murree. There is of course no intention of allowing or winking at wilful extension of cultivation since last settlement, but some attempt must be made to make the maps agree with the fields, and there is no doubt at all that the maps are often wrong. In the revision of the maps just concluded, the measuring staff have left the chak measurements unaltered pending demarcation, but a proper demarcation is essential. The work ought to be carried out by Settlement officials and indeed no one else can do the work, nor indeed has any official who has not the powers of an Assistant Collector any legal authority to do the work. Briefly then I am of opinion that all the chaks in protected forests ought to be demarcated and marked with pillars, and that the work should be done by the Settlement officials under the control of the Settlement Officer. The special agency needed for this work will be separately noticed later.

Forest boundaries in all tahsils.

V. A good many difficulties have arisen as to the boundaries of the forests. In many cases the forest pillars are said to be wrong and in some cases they probably are wrong. Most of the difficulties are due to the fact that neither the local settlement staff nor the local forest staff understand each other's maps. The forest maps are survey maps plotted on the plane of the paper and the patwari's maps are measured along the ground, and it follows that to an inexperienced observer the maps may appear to differ, while being in fact in agreement. The Settlement and Forest local officials generally agree on their reports, and indeed relations between the officials of both Departments are extremely amicable, but the District Forest Officer and myself do not trust the reports and do not believe that the forest survey maps are so wrong as they are often represented. The remedy is a personal inspection of the spot, and it is not possible for the Settlement Officer to sacrifice his other work in order to go into the hills only to inspect a few forest boundaries. There are several files of this kind pending with me which will not be settled until some Gazetted Officer has made a personal visit to the spot.

Forest in the plains tahsils of the old Rawalpindi District.

VI. The reserved, protected and unclassed forests in tahsils other than Murree and Kahuta were demarcated by Colonel Wace (then Major Wace), Settlement Officer of Jhelum. The correspondence is printed, but I have found the greatest difficulty in getting hold of any even of the printed correspondence. There are no burning questions, and not many complaints with reference to these forests. Most of the reserved forests are under the control of the Military Grass Farm Committee or of the Native Cavalry Regiment stationed at Rawalpindi. They maintain an establishment which makes forest offence difficult, and there is no doubt that the management is efficient. The state of the records is certainly

far from satisfactory, and I have had the greatest difficulty, extending over months, in finding any of the correspondence. Even now there is one Rakh Banda, fully demarcated and recorded in the revenue papers the existence of which does not seem to be known to either the District or the Forest authorities. Grazing in the unclassed forests in Tahsils Fatehjang and Pindigheb is generally sold by auction annually, and adjacent villages do not always get the contract, nor do their interests seem to be always considered. The administration of unclassed and almost treeless forests should be in the interests of the local land-owners, while the great hill forests must be administered in the interests of the general community. There is, I think, some room for enquiry on this point, and it is certainly desirable that the records should be put into an intelligible form.

Kala Chitta Forest and other forests in the Attock Tahsil.

VII. The Kala Chitta Forest was settled by Mr. Robertson at last settlement, and the correspondence is printed. Most of the forest is in the Attock Tahsil, but it extends also into the two neighbouring tahsils on the south. Besides the Kala Chitta Forest, there are a few other forests, both reserved and unclassed, in the Attock Tahsil which were settled by Captain Wace. About these I have no knowledge as the Attock Tahsil was attached to the Hazara Settlement. I wrote demi-officially to Mr. Butler, who settled the Attock Tahsil, asking whether in his opinion any enquiry was necessary. In reply he stated that in his opinion no enquiry was necessary, that he had already referred several matters of forest administration to the Deputy Conservator of Forests, and that the Deputy Conservator had in all cases met his wishes. It may therefore be taken that no general enquiry is necessary in the Attock Tahsil. Mr. Coventry, the present Deputy Conservator of Forests, is, however, not satisfied, and states that he has one difficult boundary case which he wants settled, and that he is not satisfied that the revenue records in Attock, which have been brought up to date, agree in all respects with the forest records. He is of opinion that in the Attock Tahsil, as in the other tahsils of the old Rawalpindi District, the records should be systematically and carefully checked, and the correspondence of revenue and forest records ensured. Should it be considered necessary to do this work, I should not recommend that the Settlement Officer of Hazara or the Deputy Commissioner of Attock should be troubled with it. All the records are in Rawalpindi and will remain in Rawalpindi until the conclusion of settlement operations, and the Settlement establishment of Rawalpindi might properly be charged with the work.

Unclassed forests in the Murree and Kahuta Tahsils. Extension of cultivation.

VIII. The control over unclassed forest, village waste and private lands in the Murree and Kahuta Tahsils is regulated by the rules published in *Punjab Gazette* Notification No. 66, dated 9th February 1903. These rules relate to the control of timber, cutting and the breaking up of land for cultivation and have nothing to do with grazing rights. The Deputy Commissioner was of opinion that the whole subject of grazing rights and rights of breaking up new land for cultivation requires a thorough revision. The revision of grazing rights which are restricted only in reserved and protected forests involves the revision of the forest settlement, while the revision of rules for breaking up land involves the revision of the new rules quoted above.

The question of the breaking up of new land for cultivation out of the guzaras, or village waste, is no doubt a very burning question. Since the Forest Rules of 1856, which have been cancelled by the new rules, the breaking up of common lands without leave has been a penal offence, punishable with fine and imprisonment: it is still so punishable if damage is done to trees or undergrowth. Meanwhile new cultivation goes on apace in defiance of penal rules, fines and imprisonment. The fine or the imprisonment are looked upon as part of the cost of the cultivation and are undergone, if not cheerfully, at least manfully. The offence is continuous, the punishment single.

The village waste lands in Murree and Kahuta cannot be partitioned without the sanction of Government, which in practice would never be given. It follows that any one can break up as much land as he pleases, without reference to the size of his holding in the village, secure from the possibility of partition

and consequent ejectment, and careless of the possible fine. Only a mere fraction of the offences are ever reported. During the present remeasurement the breaking up of new land has been going on wholesale, as the record of possession in the settlement papers is deemed to be a title of right. Great trouble has been caused to the measuring staff and great temptations put in their way, to which they have not seldom succumbed. I have had to content myself with sending lists of all such areas broken up to the Deputy Commissioner for such action as he thinks fit. The offenders number hundreds, if not thousands.

It should be noted that the breaking up of guzara lands is objected to by most share-holders. One man starts and the others follow, not because they do not realise that they are destroying their own grazing lands, but because when others are breaking up land, no individual gains anything by abstaining. The Murree villagers, especially the Dhunds, are intensely democratic. They pay no heed to elders or headmen or even to their spiritual leaders, and each man does what is best in his own eyes With regard to the necessity of a special enquiry, it is difficult to see what form the enquiry can take. Every one admits that the breaking up of grazing lands is harmful and it is a penal offence. It is true that offences are so general, the country so difficult, officials so corrupt, and the people so obstinate that only a fraction of the offences are reported and the punishments are not deterrent. A District Officer may find himself in a position to institute wholesale prosecutions, but they would do more harm than good. I have been considering whether a penal assessment, of say Rs. 5 per acre, should not be imposed on all newly broken up shamilat lands in this settlement. This is a matter which I shall have to consider at village inspections this hot weather. I should much prefer not to have to do this, but if it were done there is little doubt that a chill would fall on the breakers up of new land. The question of the breaking up of shamilat land is very important, but it can hardly form the subject of a special report. It is a question which will have to be considered in the Assessment Report of the Murree and Kahuta Tahsils, and it ought to be possible to dispose of the case in that report without submitting any special reference.

The same continued. Tree cutting.

IX. Referring again to the new rules quoted in paragraph 5 above, it will be noticed that I have discussed only the question of the breaking up of the guzara lands. With regard to the rest of the rules which relate to tree cutting, I reported nearly a year ago to the Deputy Commissioner that in my opinion the rules are thoroughly bad and demand revision. Since then I have inspected all the plain and sub-mountainous villages to which the rules apply, and am more than confirmed in my opinion. In the extension of these rules to the Kallar Kahuta Circle of the Kahuta Tahsil, in which no restrictions on wood cutting have ever been in force, and in which the Government has never, until now, claimed to own the trees, I have no doubt that the rules are illegal. In the high hills where valuable pine and hardwood forests exist and the people are turbulent, the rules are necessary and unobjectionable, but even in the Murree and two hill circles of Kahuta there are many villages on which the rules press cruelly and harshly. They extend to all trees and brushwood, even to the fruit trees, and could they be enforced in all their literal significance, firewood would be unobtainable and agriculture impossible. As a matter of fact, the district administration is much more sympathetic than the rules which they enforce. Briefly the objections to the existing rules are that they extend to the plains of Kahuta to which no previous rules at any time extended; that they apply to all trees and brushwood, and not only to trees of natural growth, in which alone the Government has ownership; that they make no account of the relative values of trees and do not include only timber and valuable trees; that they take no account of the different circumstances of different villages, the plain and low hill villages often far from forests and from markets and without timber trees are under the same rules as the Dhund villages round Murree, who live by stealing and selling valuable timber. It should be stated that the administration of the new rules by Naib Tahsildars is the great improvement on the administration of previous rules. The complaint is of the rules and not of the administration of the rules, which in any case should be left unaltered. In my opinion the new rules should come under revision at once. The extension of the rules to the

Kallar Kahuta Circle of the Kahuta Tahsil appears to have been due to a misunderstanding, which indeed appears on the face of the correspondence, which is printed. On this point I do not think any further enquiry is necessary, and the rules so far as they extend to the Kallar Kahuta Assessment Circle should be cancelled without delay.

As regards the hill tracts of the district, *i. e.*, the Murree Tahsil and the Pahar and Kahru Cicles of Kahuta, the rules need to be revised with reference to local conditions and to the presence of timber trees, while regard should be had to the attitude of the people to the forest administration. All pines, oaks, shishams and other valuable hardwood trees should be rigorously preserved wherever situated. The question must be considered whether the felling of *phulai* for agricultural purposes and not for sale ought not to be permitted in the lower hills. All planted trees should be released from the operations of the rules. It is impossible to expect the people to take any interest in tree cultivation, when they are not allowed to cut the trees which they themselves have planted. In connection with these rules, it should also be considered whether the penal prohibition against the breaking up of guzara lands should not be absolute, as before the new rules were issued, and not, as now, only when damage to trees or brushwood can be proved. In practice damage can only be proved when early information is received and successful prosecutions have almost ceased. It is in fact impossible to break up land without clearing brushwood, and the difficulty of finding legal proof bids fair to make the prohibition inoperative. On this, as on all other points noted above, I do not wish to express my final opinion, but only to emphasise the need of a proper enquiry.

Village waste in the plains tahsils.

X. It is now necessary to notice the control over village waste and private land in the other tahsils of the Rawalpindi District. The rules were published in *Punjab Gazette* Notification No. 457 F., dated 10th November 1879, published on page 24 of the Punjab Forest Rules. These rules are still in operation, are necessary and in their restrictions unobjectionable. The villages and the areas to which they apply are published in *Punjab Gazette* Notification No. 483 F., dated 29th November 1880. The notification gives a list of 261 villages with the areas of the lands to which the rules apply. It would appear that the rules were meant to apply to shamilat lands, or when the village had no shamilat, to waste lands in those villages, but the areas have long ceased to be capable of indentification by any Court. Indeed no one knows with any certainty to what areas the rules apply. The lists of villages and areas were prepared by Tahsildars after Captain Wace had finished his work, and there is not now anything to show how the lists were prepared. Legal difficulties have already arisen, and they will increase as the knowledge of the existence of the difficulties spreads. The whole subject is enveloped in mist, but I believe that as regards most of the villages in the list the rules have long been a dead letter. It is certainly desirable to clear up all this confusion and determine to what areas the rules ought to be extended and to gazette them in such a way that there can remain no doubt as to their scope and operation.

Extension of grazing in certain protected forests in Kahuta.

XI. There is another matter in connection with the Murree and Kahuta Forests which needs separate mention. There are certain protected forests in the Kahru and Kallar Kahuta Assessment Circles of Kahuta which were made into forests more with a view to preserve them from cultivation and to keep them for grazing than because there was any valuable timber on them or any likelihood of growing timber. Such protected forests are Thoha Khalsa 190 acres, Bhulakhar 449 acres, Dodili Mator 524 acres and Chunam 1,124 acres. The first three have no trees on them, while the last has in places a good growth of phulai. It is a matter for consideration whether the closing of these rakhs to goat grazing does not cause far more inconvenience and trouble to the people than benefit to the forest growth. Where there has been no reproduction in the last twenty years in spite of prohibitions, constant prosecutions and continual friction, there can be small ground for anticipating any future improvement. This is distinctly not a question on which I wish now to express my opinion, but there is no doubt at all that the question is one deserving of consideration. It cannot be denied that to open any forest to the

goat grazing is to end all prospects of reproduction, but only after careful local inspection in company with the Forest Officer would it be possible for the Settlement Officer to submit any proposals. In any case I do not propose that any special powers should be conferred on the Settlement Officer or that the settlement should be revised, but I do propose that the Settlement Officer should be directed to inspect these plain rakhs and report upon the question of their future management in consultation with the District Forest Officer.

There are also a few rakhs in the low hills which cut right through the middle of village lands, and here again goat grazing is prohibited with more profit to criminal fines than to the forest. I would instance Rakh Kajli Ban in Kahuta.

Records, English and Vernacular.

XII. As mentioned above more than once, I have had the the greatest difficulty in finding any complete records of the district forests, especially of the plains forests. Vernacular records exist showing the rights of villagers in the forests, but connected descriptions of the various forests and of the grass and timber and of the rights of the land-owners with notice of the various questions which arise in connection with each forest nowhere exist. The intimate local knowledge of past Forest Settlement officials is lost to us now. It would be of great value to the district administration if a note on each forest, similar in its character to a village assessment note, was prepared. This would naturally be the work of the Settlement officer, but it is perfectly certain that I have not time to inspect each forest fully and write a note upon it. I have more than 1,500 villages to inspect and note upon in this settlement, and to add to them the whole of the forests would be too great a burden for one man to bear.

Recapitulation of subjects for enquiry.

XIII. For convenience of reference I here recapitulate all the matters noted above which in my opinion demand enquiry and decision during the current settlement:—

(1) The demarcation of chaks in protected forests,—paragraph 4.

(2) Boundary disputes, including the Attock Tahsil,—paragraph 5.

(3) Re-drafting of rules for the control of unclassed forests and private lands in the Murree and Kahuta Tahsils,—paragraph 8.

(4) Determination of the areas to which the rules of 1879 should apply,—paragraph 10.

(5) Consideration of the management of certain plain forests in Kahuta Tahsil,—paragraph 11.

(6) Preparation of a separate note on each forest,—paragraph 12.

(7) Checking and revision of the records, English and Vernacular, of all the forests in the old Rawalpindi District, including the Attock Tahsil.

Probably in the course of an enquiry other small matters needing consideration would come to light. I would instance the question of the lease of grazing rights in unclassed forests in Tahsils Pindigheb and Fatehjang (paragraph 6 above). Difficulties of this kind, which I cannot now anticipate but which closer knowledge may bring to light, should not be excluded from the scope of any enquiry which may be deemed necessary. Finally, a connected and intelligible account of all the forest settlements in the old Rawalpindi District would be of the greatest value. The matter is dealt with in paragraphs 322 to 345 of Mr. Robertson's Final Settlement Report, but the description there given besides being incomplete was written before the receipt of final orders on the Murree and Kahuta Forest Settlement: for enabling action of the above kind to be taken, no special power will be necessary. For the demarcation of chaks in protected forests must be done by the Settlement officials, and where the chaks are so numerous and disputes so frequent, it would be impossible for the Settlement Officer to consult with the Forest Officer as to every disputed chak. I understand that the Forest Officer would raise no objection, if it was distinctly understood that a Gazetted Officer would inspect the work and be responsible for every stage of it. With regard to the fifth question, *viz.*, consideration of the extension of grazing rights in certain forests, I propose only that a report should be submitted in consultation with the Forest Officer,

XIV. I think it will not be disputed that it is not possible for me to take all this burden of work upon myself in addition to my other duties which are already so heavy. Similarly it is not possible that the Extra Assistant Settlement Officer should undertake the work. Should it be determined to throw all this work upon me, settlement operations would inevitably be prolonged for another year. Moreover, measurements are everywhere finished, but the papers of many villages cannot be completed until chaks have been properly demarcated. Delay here means delay to the whole of the settlement work. I have no option but to ask for the services of an Assistant Settlement Officer, who will devote his time entirely to forest work. I calculate that his services would be needed for 15 months, so that he would be able to devote one cold weather and part of two hot weathers to the work. In addition an additional Naib Tahsildar is required for demarcation work. The Naib Tahsildar would do the work and the Assistant Settlement Officer would settle disputed cases on the spot. It would not be necessary to depute any forest official of rank, but the presence of a forest subordinate to arrange for the erection of pillars would be desirable. Any such official should be under the orders of the Naib Tahsildar. The Forest Department would of course pay for the pillars as at present. I ask for an additional Naib Tahsildar for six months. The work would not be finished in six months, but by the end of that period I should be able to reduce establishment elsewhere and so to absorb the appointment into the permanently sanctioned staff. It would not be necessary to send a Naib Tahsildar from elsewhere. The work would be very difficult and troublesome, and I can provide the right man for the post without dislocation of other work.

Increase of establishment.

XV. Before submitting these proposals I consulted Major Egerton, late Deputy Commissioner of Rawalpindi and Mr. Coventry, the Forest Officer. The proposals as now completed have not, however, been seen by either of them. I attach a note which Major Egerton drew up with the intention that it should be submitted with my report. The new Deputy Commissioner, Mr. Malan, has so recently joined the District and the question of forest rights takes so long a time to become intelligible that I have not thought it necessary to delay the submission of this reference in order to obtain his opinion. I have however forwarded this letter to him with the suggestion that he should separately represent his opinion to you, should he so desire. I venture to point out in conclusion that it is very desirable that early orders should be passed on this reference, as delay in beginning work will inevitably delay the settlement of the case and possible even delay the conclusion of settlement operations.

Reference to the Deputy Commissioner and Forest officer.

Note by Major C. P. Egerton, I. A., Deputy Commissioner, Rawalpindi,—dated 20th January 1905.

Settlement Officer, Rawalpindi,—

I return the papers relating to grazing and other forest rights in the Murree and Kahuta Tahsils.

On further consideration I do not think that any further concessions in reserved and protected forests can be made to villagers. If they require more grass, they should cut it during seasons of plenty and stack it for use in time of drought. This they are too lazy to do. Pine needles of course prevent the growth of grass, but I know of no method of clearing the ground of these except firing, and this is a dangerous method. Would it be possible for the Forest Department with the assistance of the villagers to remove them by firing under proper control ? I agree with you that the forest settlement by Mr. Robertson would not be re-opened as regards the reserved and protected forests of the Murree and Kahuta Tahsils.

2. As to guzaras, what is wanted is firstly a clear definition of the villages to which the rules apply. They should certainly not apply to any but the hilly tracts of the Kahuta Tahsil. (I mean the rules published with *Punjab Gazette* Notification No. 66, dated 9th February 1903). Secondly, the breaking up of waste land is under these rules punishable only where trees are damaged thereby. But under the terms of wajib-ul-urz no shamilat land can be broken

up without the sanction of the Deputy Commissioner. What is wanted is a penalty to enforce this condition. At present there is none. I have had to return 600 cases reported to me, as the files do not show that any damage has been done to trees and they therefore cannot be taken up under the forest rules. But I do not consider that the new rules are otherwise unsuitable. During my tours in the Murree and Kahuta Tahsils the villagers in the hills appear to be content with them as regards tree felling, and both the Forest Naib Tahsildars have worked hard and granted permissions to fell promptly where wood was required. I don't think that you are correct in stating that "all trees and shrubs" are included in the prohibition (see paragraph 9 of your letter). The rules do not apply to brushwood and are in practice only applied to the trees mentioned in Rule 9 of the notification.

No. 2289 S., dated Simla, 13th September 1905.

From—A H. DIACK, Esquire, Chief Secretary to Government, Punjab,

To—The Secretary to the Government of India, Department of Revenue and Agriculture.

I AM directed to invite a reference to the letters of the Government of India (Revenue and Agricultural Department) noted in the margin, which conveyed sanction to the inception of settlement and re-assessment operations in the districts of Rawalpindi, Gurgaon and Karnal, respectively, and to submit, for the orders of the Government of India, the following proposals regarding the appointment of Assistant Settlement Officers.

No. 1385—321-2, dated 3rd September 1902.
No. 1099—288-2, dated 11th July 1903.
No. 1048—257-2, dated 27th July 1904.

2. In the Rawalpindi and Attock Districts as reconstituted, of which six tahsils are at present undergoing settlement, there exist extensive forest areas, amounting roughly to some 500,000 acres, including 211,312 acres of reserved, 48,665 acres of protected and 229,137 acres of unclassed forests. It appears from the reports now before this Government that numerous questions connected with this large area have arisen which must be decided in the course of the settlement operations now current. The demarcation of large numbers of plots of cultivated land situated within forest boundaries has to be checked and revised. The rules framed at the forest settlement and subsequently must be examined in the light of the experience gained of their working, and must be re-drafted where necessary. Disputed boundaries have to be examined and verified, the existing record-of-rights has to be revised, and the preparation of a connected and intelligible account of the whole forest and waste area belonging to Government is extremely desirable. In view of the large size of the area under settlement, Sir Denzil Ibbetson is of opinion that the burden of this extra work cannot be put upon the Settlement Officer who will be sufficiently occupied by assessment and measurement work during the whole period covered by settlement operations and can only be expected to supervise generally the work connected with the forests. His Honour, therefore, recommends that sanction be accorded to the appointment of an Assistant Settlement Officer for the period of 18 months from the date on which he assumes charge of his duties.

3. The Financial Commissioner, Punjab, has represented that the settlements of Gurgaon and Karnal are very heavy charges. There are five tahsils in the former district, and though the latter contains only four, the size of one of them has necessitated its division for settlement purposes into two portions, each under a Settlement Tahsildar. Moreover, the large extension of canal irrigation in the Karnal District since last settlement involves a very considerable addition to the Settlement Officer's work. In both districts the assessment and record work is unusually intricate and heavy. The officiating Lieutenant-Governor is satisfied that in neither district can the settlement operations be completed in less than five years from the date of their commencement, and unless the Settlement Officers can each be relieved of the assessment of one tahsil by its transfer to an Assistant Settlement Officer working under his orders, His Honour fears that the operations will be prolonged even beyond that period. It was on the ground of the desirability of having trained officers available for the settlements which will have to be started in the near future that the Punjab Government was authorized in Mr. Majoribanks' letter No. 2096—305-2, dated 26th September 1901, to appoint Assistant Settlement Officers to the number of 15 in 10 years

for a period of one year each. This authority is not sufficient to enable the Local Government to sanction the appointments now proposed, for it would be impossible for an officer to acquire in one year sufficient knowledge of the circumstances of a tahsil to work out its assessment. The work would certainly take 18 months and might perhaps require two years. The Officiating Lieutenant-Governor accordingly desires to appoint two Assistant Settlement Officers for these districts, who would hold their appointments for not more than two years each.

4. The requirements of the Punjab in the matter of Assistant Settlement Officers for the next two years, commencing from the 1st of October 1905, are thus—one Assistant Settlement Officer for Rawalpindi for $1\frac{1}{2}$ years, and two Assistant Settlement Officers for Gurgaon and Karnal for two years each. The power of sanction rests with the Government of India under the authority conferred upon them in the correspondence, of which copies were received under cover of Revenue and Agricultural Department letter No. 254, dated 3rd September 1895, and I am to request that if the reasons given in this letter appear to the Government of India to be sufficient, their sanction may be accorded to the creation of the three appointments.

Letter No. 1504-349-2 dated Simla the 3rd of October 1905, from the Under Secretary to the Government of India Revenue and Agricultural Department, to the Chief Secretary to the Government of the Punjab.

In reply to your letter No 2299-S., dated 13th ultimo, I am directed to convey the sanction of the Government of India to the appointment of an Assistant Settlement Officer to each of the districts of Rawalpindi, Gurgaon and Karnal with effect from the dates and for the periods mentioned in your letter.

Punjab Government endorsement No. 231 dated 3rd November 1905.

Copy, with copy of Punjab Government letter No. 2229-S. dated 13th September 1905 forwarded to the Senior Secretary to the Financial Commissioner, Punjab, for the information of the Financial Commissioner, with reference to his letters Nos. 297-S, dated 22nd July 1905, and 357-S. dated 8th August 1905.

2. The temporary establishment and contingent expenditure proposed in paragraph 4 of the letter No. 297.S. dated 22nd July 1905 quoted above, for the Assistant Settlement Officer to be appointed at Rawalpindi is sanctioned.

Financial Commissioner's endorsement No. 6598 dated 8th November 1905.

Copy of the foregoing forwarded to the Hon'ble Mr. J. M. Douie, Settlement Commissioner, Punjab, with reference to his letters No. 2063 dated 24th May 1905, No. 2297 dated 10th June 1905 and No. 1591 dated 18th April 1905.

No. 1517, dated 10th October 1906.

From—A. J. W. Kitchin Esquire, C. S., Settlement Officer, Rawalpindi,

To—The Settlement Commissioner, Punjab.

I forward herewith a report on the forests of the old Rawalpindi district. This report contains only matters which, as it seems to me, should be reported to the Settlement Commissioner. I have submitted four separate reports to the Commissioner of the division in connection with forest matters. I have also forwarded to him a copy of this report, as it seemed to contain some matters which might be of interest to him. I venture to suggest that if you think fit, these papers might be printed, as I want to file them with other settlement records in explanation of the procedure of this settlement.

Report on the forests of the Rawalpindi and Attock districts (excluding the Talagang tahsil).

Preliminary.

This report is submitted in accordance with the orders of Government passed on my letter No. 557, dated 9th April 1905, in which I submitted a preliminary report on forest matters in the tract under settlement. I have not considered it necessary to recapi-

tuate matters dealt with at length in that report, to which the present report should be considered as supplementary. The tract to which this report relates is the old Rawalpindi district, or excluding the Talagang tahsil, to the whole of the present Rawalpindi and Attock districts. With the exception of the Attock tahsil, which was settled with Hazara, the owhole of this tract is under the Rawalpindi settlement. By the Rawalpindi district is meant the old Rawalpindi district, except when otherwise expressly declared.

Historical.

2. Since writing the preliminary report, I have been sent a copy of a valuable printed selection of papers relating to the rights of Government in waste lands in the Rawalpindi district, compiled in the Financial Commissioners, office, No. 42 of 1892. These papers throw a great deal of light on matters previously obscure, and as to which there are no records in the Rawalpindi district office. The preface to that volume gives in a concise and accurate form the history of the Rawalpindi forests, and I do not think it necessary to repeat what has been said in that abstract, which was written by Colonel Wace himself. As stated in that abstract, forest conservancy in the Rawalpindi district is based on certain rules sanctioned by the Government of India in 1855 and printed on page 1395 of the volume of selections. In 1856 the Commissioner of Rawalpindi, on the authority of the rules of 1855, published certain rules for the conservancy of forest timber and of all trees and shrubs of spontaneous growth in the mountainous portion of the Rawalpindi district. These rules are printed on page 1397 of the volume of selections. They remained in force until 1903, when they were cancelled by Punjab Government notification No. 66, dated 9th February 1903. In appendix A* is given a list of all the forests in the Ralwalpindi district, the list being taken, with certain corrections of clercial errors from the printed official list of forests, published by the *Civil and Military Gazette* dated 18th April 1904, of which I was supplied with a copy by the Conservator of Forests, Punjab. The areas generally do not agree with the gazetted areas, which latter areas are entered in the forest record-of-rights, where any such were prepared. The new areas are presumably the more accurate. The forests divide themselves into three groups which have a separate history and which must be separately considered. These three groups are—

I. Forests other than the Kala Chitta in all tahsils, except Murree and Kahuta.

II. The Kala Chitta Forest.

III. The Murree and Kahuta forests.

I now proceed to sketch briefly the history of each of these groups.

Forests, other than the Kala Chitta, in all tahsils except Murree and Kahuta.

3. It will be seen from appendix A that these forests are all either reserves or unclassed forests. None of them are protected forests, and I was wrong in describing the Bhagam forest in Gujar Khan as a protected forest in my preliminary report. They have never been the subject of a forest settlement, but were reported on by Colonel Wace in 1874-75, at the time that he was Settlement Officer of Jhelum. Abstracts from the correspondence and the orders are printed at page 1420 of the value of selections. As the result of Colonel Wace's report, some of these forests were gazetted as reserved forests, and the rest became unclassed forests under the charge of the Deputy Commissioner or of the Forest Officer. The two largest and most important reserves are the Margalla in Rawalpindi and the Khairi Murat in Fatehjang. The rights of zamindars were recorded in most cases, but there are no rights in the Khairi Murat and hardly any in the Margalla reserve. In most of the smaller reserves the zamindars of adjoining villages have very extensive rights, extending even to the right of goat grazing. All these forests had originally been demarcated by M. Hukam Chand, Extra Assistant Commissioner, in 1864-65 (*vide* preface to the selections). Mr. Hukam Chand erected loose stone pillars and prepared rough maps. The forests were demarcated again and fresh maps were prepared in the old "*thak bast*" vernacular form under the orders of Colonel Wace, or subsequently during the settlement. Masonry pillars were erected round the reserves and a few other forests, and these pillars form their boundaries to this day. The boundaries of the Khairi Murat reserve were disputed at the second settlement, and Colonel Frank Egerton, then Assistant Settlement Officer, demarcated the forest afresh. The correspondence is contained in pages 1470 *et sequentes* of the printed selections. Masonry pillars were built after Colonel Egerton's demarcation. As the maps prepared of these forests at settlement were very incomplete and often very inaccurate, boundary disputes have been frequent since last settlement, but these disputes have generally been based on discrepancies in maps rather than on disputes about the correctness of pillars. To obviate these defects, the Khairi Murat reserve was surveyed in 1902-03, and the Margalla reserve partly in 1902-03 and partly in 1905-06. Survey maps were prepared on a scale of 4 inches equal to 1 mile. All these maps have now been thoroughly checked in this settlement by a special establishment. Some mistakes were made by the survey party, and after these have been corrected, the maps will be signed by the Settlement Officer in admission of their correctness. Where there are no survey maps, and in the vast majority of forests this is the case, the existing forest and village maps have been compared, the pillars have been checked on the spot, and all mistakes have been corrected.

* Not printed.

4. The Kala Chitta forest is in the three tahsils of Attock, Pindigheb and Fatehjang. The forest settlement was done by Mr. Robertson at the last settlement of the Rawalpindi district. The Settlement Officer's proposals were sanctioned by Punjab Government letter No. 342, dated 6th October 1889. Under this settlement more than half the whole forest was absolutely reserved, but in portions of the forest, aggregating 41,000 acres, adjoining villages were allowed rights of grazing on payment of the following scale of fees:—

The Kala Chitta reserve.

	Per half year. Rs. a. p.
Cows and bullocks, each	0 2 0
Buffaloes, each	0 4 0
Mules, Horses, Donkeys, each	0 2 0
Goats, each	0 1 0
Sheep, each	0 0 3

All the papers connected with the Kala Chitta settlement have beeen printed, and there is no difficulty in tracing the correspondence. Datails of the rights of villages will be found in appendix III of Mr. Robertson's Final Settlement Report. At the settlement masonry pillars were erected by the Forest Settlement Officer, and the forest was surveyed at once and survey maps prepared. The village maps were not properly checked with the new survey maps, and the differences of boundaries introduced by the new demarcation were not in all cases reproduced in the revenue records. Now all the village maps have been checked with the survey maps and pillars and have been put right. The survey maps were generally found to be correct, but some mistakes have come to light and are in course of correction. The blocks of zamindari land in the Kala Chitta, or chaks as they are called, are all of large extent, are properly demarcated with pillars and are marked on the survey sheets.

5. Only in the Murree and Kahuta tahsils were the forests not demarcated by Munshi Hukam Chand. Indeed in the Murree tahsil and in the Pahar circle of Kahuta, no village maps were prepared at the first regular settlement. The settlement of these tahsils was done by Mr. Robertson at last settlement and all the papers are printed. The task was one of excessive difficulty, owing to the extent to which cultivation has spread in patches and blocks in the hills, and to the struggling shapes of the villages and to the conflicting demands of the zamindars in different portions of the same estates. Many of the forests are very irregular in shape and run up into the midst of cultivation and interfere with the movements of zamindars and the grazing of cattle much more than their total area would indicate as probable. However, the task was one of great difficulty, and speaking with a fairly accurate knowledge of every forest, I admit that I could not do the work any better and might easily fail to do it so well. Briefly, and without further detail, I do not propose to alter the forests as demarcated by Mr. Robertson in any single case. Mr. Dunnett, Assistant Settlement Officer, is still inspecting the forests in these two tahsils and it is possible that when this work is completed, it may be necessary to make representations as to boundaries of individual forests, or as to the rights of individual villages in certain forests. I do not, however, anticipate any such necessity, but wish to reserve to myself the opportunity of submitting any such proposals should the necessity subsequently appear. A list of the reserved and protected forests will be found in appendix A. The rules for the management of protected forests in the Murree and Kahuta tahsils are contained in Punjab Government notifications Nos. 64 and 65, dated 17th February 1887, published on pages 8 *et sequentes* of the Punjab Forest rules, and all the notifications are collected together in appendices I and II of Mr. Roberson's Final Settlement Report.

Murree and Kahuta forests.

It is advisable to notice here that the right-holders in protected forests are—

(*i*) Khewatdars and sharers in the village land.

(*ii*) Muafidars.

(*iii*) Tenants with rights of occupancy.

(*iv*) Other tenants during the term of occupancy only, to the extent of their requirements in respect of such land and subject to the limitation laid down in the rules.

(*v*) Kamins and servants of the village community.

Thus all residents are not right-holders and in particular the resident trading classes have no rights as such. Grazing rights, by a provision in the statement of rights included in the record-of-rights of each protected forest, extend only to double the number of grazing animals of each class which was enumerated as owners by the villagers at the time of the forest settlement. I would particularly direct attention to rules 3, 4 and 5 of the protected forests.

Under these rules a right-holder may take wood of any kind, except deodar and biar for domestic and agricultural purposes without license or leave of any kind. Deodar does not exist in these hills and biar (blue pine) is only found near Murree. Moreover, right-holders are entitled under restrictions, to trees for building purposes, and there is no condition that trees will not be granted if there are suitable trees in the village lands. These points are of importance, and will be again referred to in another report. The settlement of the Murree and Kahuta forests was not finished until after village measurements had been completed, and an attempt was made at the end of the settlement to bring the village and forest records into agreement. The result was not very successful, so that both as to the mapping of village boundaries and as to record of chaks in protected forests, there were very great differences between the forest and the settlement records. As regards the mapping of boundaries, the result was almost always to show the villages as possessing very much more grazing land than they really had got, so that complaints by villages at last settlement that they had not enough grazing were often decided on wrong premises as the recorded areas of guzara were generally in excess of the real areas. A record-of-rights was prepared for every forest in these tahsils, but the statements of village rights do not always agree with the Gazette notification, and do not always agree with the rights recorded in the village administration papers. These are being checked, and it is possible that it may be necessary to refer two or three cases for orders but I am following the rights recorded in the Gazette notifications as authoritative, and no, reference will be made unless it be proved in any case that the Gazette notifiction as drafted did not accord with the Settlement Officer's real intentions as recorded in other papers.

Demarcation of chaks and forest boundaries.

6. As pointed out in pargraph IV of my preliminary report, one of the principal difficulties was that the chaks in protected forests in Murree and Kahuta had never been properly demarcated and marked with pillars. As the result of my representations, an Assistant Settlement Officer was sanctioned for 18 months and two Naib Tahsildars for 6 months, with connected establishment, for the demarcation of chaks, the checking of records, and for the determination of all pending questions and difficulties. In anticipation of sanction I put a Naib Tahisldar, M. Thakar Das, on duty in May 1905 to demarcate all the chaks. Sanction to his appointment on special duty was subsequently receieved, and from 8th May 1905 to 28th September 1905 he was employed in addition to the sanctioned establishment of the settlement. From 1st October 1905 I was able to reduce one Naib Tahsildar in the Gujar Khan tahsil, and the special appointment was absorbed into the sanctioned establishment. M. Thakar Das, however, has remained on special forest duty up to date and will not revert to ordinary employment until the end of the present month—September 1906. He has borne the brunt of all the labour connected with the demarcation of chaks and the demarcation of boundaries, and has been employed successively in every tahsil under settlement, and in the Attock tahsil. The second Naib Tahsildar sanctioned has not been employed at all, and a single Naib Tahsildar has done all the work. As the Assistant Settlement Officer whose appointment had been sanctioned did not join the setlement, M. Sant Singh, Settlement Tahsildar of Rawalpindi, was put on special duty as an Extra Assistant Commissioner from 24th November 1905 and remained on special duty from that date until 23rd March 1906, when he took over charge from Fakir Iftikhar-ud-din, Extra Assistant Settlement Officer, who proceeded on leave from which he did not return, owing to his appointment as Revenue Member of Council of the Tonk State. The whole of his work has remained under my personal supervision from the beginning, and when Mr. Dunnett, Assistant Settlement Officer, joined on 7th March 1906, it was too late to make over to him work of a very special character, for which a special establishment had been trained by me. The demarcation of chaks and the correction of boundaries has therefore been made throughout under my personal supervision and all final orders have been passed by me. The work of chak demarcation on the spot was of a terribly arduous character, involving tramping on foot over hills and down valleys, with crowds of complaining zamindars always in attendance. The work had to be pushed on in all weathers, amid rain and sometimes in snow storms, and every single little chak had to be inspected and measured and demarcated with loose stone pillars. The Naib Tahsildar decided all undisputed cases, where the former records and possession agreed. The Extra Assistant Commissioner had to visit all disputed cases and checked the others while all serious disputes were decided by me. The old record of chaks were found to be very unreliable ; in many cases the former measurements were obviously wrong, and in some cases the records of chaks in the settlement and forest records totally differed. Where the old measurements were right, the former chaks were maintained and trespassers ejected ; where they were found to be wrong, the chaks were demarcated afresh with reference to what could be ascertained of the state of possession at last settlement. A file was prepared for every chak, giving a sketch of the land with a careful field book ; the statements of the owners were recorded, and the case was decided by a recorded order of the Naib Tahsildar, of the Extra Assistant Settlement Officer, or of myself. Pillars were erected when the case was decided and the pillars are marked on the sketch map on the file and on the patwari's map. All the files have been bound up by forests, with indices, and the fullest information about every chak is readily available in the event of any dispute occurring in the future. These bound volumes will subsequently be filed with the forest record-of-rights. As regards the way in which the work was done, it is sufficient to say that no one has lodged a single complaint or a single appeal, although large areas have been redeemed from trespassers and the greatest case has been taken in safeguarding the rights of Government

as well as in according the legitmate claims of zamindars. The host of complaints which arose over the demarcation referred to in paragraph IV of the preliminary report have entirely died away, and I understand that the Forest Department are also satisfied at the settlement of a multitude of troublesome disputes. The results of the demarcation of chaks can be summarized as follows. In Kahuta there were at last settlement 373 chaks with an area of 522 acres; there are now 369 chaks with an area of 697 acres. Of the above, 115 were disputed, of which M. Sant Singh, Extra Assistant Commissioner, decided 39, and the Settlement Officer 76. The increase in area, *viz.*, 175 acres, is largely accounted for by a mistake of 115 acres of waste land in protected forest Chanjnian, which was admitted by the late Forest Officer, and as to which the papers were at variance. In tahsil Murree there were 562 chaks of a total area of 2,428 acres and there are now 596 chaks of a total area of 2,632 acres, or an increase of 204 acres. Two hundred and eight chaks were disputed, of which the Extra Assistant Commissioner decided 93 and the Settlement Officer decided 115. The area now recorded as the property of zamindars is every much less than that in their possession at the time of demarcation.

The increase in the area of chaks and the increase in their number is due to a multitude of reasons. In very many cases the chaks are only nominal. Forest boundaries run straight from pillar to pillar, while village boundaries are irregular. Where the village boundary runs up between the pillars, the land inside the pillars, although coterminous with the village lands, is, for convenience of record, called a chak and measured as such. It follows that any wrong mapping of the forest boundary on the village map—and this was the rule rather than the exception—leads to a mistake in recording the village lands inside the chak. Conflict between settlement and forest records was another common reason. Absolutely wrong mapping, when we had to abandon the old map, was not seldom the case. As a general rule in case of doubt and conflict of records we decided in favour of the zamindar in possession, when the possession appeared to be old. Re-mapping—and the chaks were very badly measured—leads to increases of areas even when the land itself is the same as before. The increase in the number of the chaks is due to much the same reasons as above, but divisions among land-holders and the separation of chaks formerly recorded singly was a fruitful cause of increase in the recorded numbers. Most of the trouble about chaks has been due to the facts that measurements were finished before the forest settlement, so that the work of carrying into effect the Settlement Officer's orders was done carelessly and hurriedly and no proper cross checking of the two records was ever done. How badly the final mapping was done is specially apparent when the differences of mapped boundaries are considered. The Settlement Commissioner has seen a number of these chak files and knows the difficulties with which we were confronted. As regards the future maintenance of the chak pillars, I have ordered them to be marked in red ink in the village registers of crop inspections, and that a report of any missing shall be sent in by patwaris after every crop inspection. The reports will go on to the Deputy Commissioner who will pass orders.

Forest and village boundaries.

7. In paragragh V of the preliminary report I referred to mistakes in the mapping of forest boundaries. When submitting that report I did not at all realise how radically wrong the mapping was. The result of further checking has been to show that it is a very rare exception for the boundaries of any single forest to be mapped correctly in the adjoining villages. The difficulties which arose at last settlement were due to the measurements having been completed before the forests were made. In the present settlement the previous mistakes escaped detection because re-measurements were not ordered, the former maps only being corrected. In the process of correcting maps the mapping of waste areas should be checked, but in actual practice the measuring staff are apt to scamp this work and enter waste areas as unchanged. A good many discrepancies were detected during measurements, but measurements were completed before it was discovered that the boundaries of nearly all villages adjoining reserved and protected forests were wrongly mapped. The Conservator of Forests supplied me with copies of the Murree and Kahuta Forest Survey maps, and when I began to compare these maps with the village maps discrepancies at once began to appear. The work of comparing survey maps on one scale with village maps on another scale requires practice, but the Naib Tahildar on special duty, M. Thakur Das, at once learnt the work and taught others how to do it. The work of boundary checking which began in Murree and Kahuta was subsequently extended to all other tahsils of the Rawalpindi district, including Attock. Everywhere the same state of mapping disclosed itself, and the village maps and forest maps were everywhere found to differ. Had the state of the boundary mapping been realised at an earlier stage of the work, it is more than doubtful whether re-measurement of all villages adjoining forests would not have been ordered. It is necessary to explain clearly how the boundaries have been checked. Survey maps existed for all forests in Murree and Kahuta, for the Kala Chitta and Khairi Murat reserves, and have, within the last few weeks, been sent to me for the Margalla reserve. In all other cases there were no survey maps, but there were ordinary settlement thakbast maps prepared at last settlement. The surveyed forests gave far the greatest amount of trouble. The first step was to compare the boundaries of the forest maps with the village maps. Where they agreed, I assumed the mapping to be correct and nothing was done, and the measure-

ments were not checked on the spot. Where they differed, and it was seldom indeed that a village showed no difference, the spot was visited first by the Naib Tahsildar and afterwards by the Extra Assistant Commissioner. I have always assumed that the forest pillars on the spot which mark possession and the actual limits of the forest are correct unless disputed by the zamindars. The pillars are everywhere round the surveyed forests visible from afar, and known to everyone and are the original pillars erected at last settlement or at Colonel Wace's demarcation. I have admitted no disputes about the pillars, except on the ground that they are not the original pillars erected at demarcation but new pillars put up without authority. At any spot where the village and forest maps differed, the pillars have been compared with both. The survey map almost invariably agreed with the pillars, and I then had the village map altered to agree with the pillars and the forest map. In a few cases I have found the existing pillars to be wrong, for pillars fall down and are sometimes rebuilt in the wrong place, but in no single case have I altered the original boundary of a forest. In almost every case I have altered the village maps, which were terribly bad. In Murree and Kahuta and the Khairi Murat the survey maps reached a very high degree of accuracy and are far more reliable than even the corrected village maps. Should any disputes arise after settlement, I would recommend that Revenue Officers should accept the pillars as correct, or if there be doubt about the pillars, then the survey map is the best authority. Where there were no survey maps, I have still followed the same principle. The boundaries were checked only where the two maps did not agree, and we followed the pillars where there were any, and possession where there were no pillars. After the village maps had been altered the areas of village waste had to be taken out again and the field books corrected, but the areas of village waste now deduced though much more accurate than at last settlement, cannot be considered as more than approximately accurate and will not be strictly accurate until the villages are re-measured. The correction of maps in tahsils Murree and Kahuta and in the Khairi Murat reserve and in most of the Kala Chitta were finished before the hot weather of 1906. The small plains forests were finished in the beginning of the hot weather. The field work in the Margalla, which had to be done twice as we had not the survey maps at first, and the Attock part of the Kala Chitta has been finished, but the Extra Assistant Settlement Officer has still to check the work and to submit his reports.

The number of boundary files was as follows :—

		No.
Tahsil Kahuta	... ...	112
Do. Murree	... ...	143
Tahsil Rawalpindi—		
Margalla	... ...	37
Other forests	... ...	37
Tahsil Fatehjang	... ...	40
Do. Pindigheb	... ...	20
	Total ...	389

In addition to the above, about 30 files are pending from the Attock tahsil and about 10 in other tahsils. All the Margalla cases were decided once, but will have to be decided again, now that the survey maps have come. With the exception of the above pending cases, all the above disputes were reported on by M. Sant Singh, first as Extra Assistant Commissioner on special duty, and afterwards as Extra Assistant Settlement Officer, and all have been decided by the Settlement Officer personally. In nearly every case the recorded village grazing lands have been reduced, but the real boundaries and the forest areas are unaltered. It is satisfactory that these troublesome cases have been decided. I do not propose to do any more boundary checking in the Attock tahsil. The boundaries adjoining the Kala Chitta have been checked and corrections will be made. In the case of other forests no action is urgently called for. It is not a pleasant task to alter the maps of another settlement, and moreover our settlement staff are very hard worked at present and have not the time to work in Attock.

Other matters connected with the settlement.

8. Inspection notes on all the plains forests in the Fatehjang and Pindigheb tahsils have been written by me. Mr. Rudkin, Assistant Commissioner under training, wrote for me useful notes on the Khairi Murat and Kala Chitta reserves. Mr. Dunnett, Assistant Settlement Officer, is performing the heavy task of inspecting the forests in Murree and Kahuta, and is writing notes. The record-of-rights of all protected forests in Murree and Kahuta and of all reserve forests burdened with rights will have to be revised. Full details of the chaks will be entered, and the statement of rights of zamindars will be checked and, when necessary, corrected to agree with gazetted rights. The rights entered in administration papers of villages having rights have also to be checked with the forest records and made to agree. The forest records of last settlement often differ from the village records as regards chaks, and sometimes differ as to rights. I hope to ensure entire agreement in the future. This work is in progress under the supervision of Mr. Dunnett.

9. Referring again to my preliminary report, I there detailed in paragraph 13 seven subjects with needed enquiry. In the present report, I have reported my action as regards heads (1), (2), (6) and (7). As regards heads (3), (4) and (5), I am submitting a separate report to the Commissioner of the division, who under Revised Revenue Circular No. 25-A., paragraph 4, will deal with these questions, and not the Settlement Commissioner. I have already by letter No. 1198, dated 7th August 1906, to the Settlement Commissioner, reported on the Pindigheb plain forests (paragraphs 6 and 13 of preliminary report), but the report was returned by him and was subsequently submitted with my letter No. 1309, dated 20th August 1906, to the Commissioner of the division. All matters dealt with in the present report seem to be such as to come within the province of the Settlement Commissioner.

Final.

A map showing generally all the forests, and by name all those mentioned by name accompanies this report.

A. J. W. KITCHIN,

Settlement Officer, Rawalpindi.

II.—Unclassed State Forests in the Plain Portion of the old Rawalpindi District.

No. 162, dated Lahore 26th February 1907.

From—R. C. BOLSTER, Esquire, Junior Secretary to the Financial Commissioner, Punjab,

To—The Chief Secretary to Government, Punjab.

I AM directed to submit for the orders of Government the correspondence noted on the margin* on the subject of the treatment of certain unclassed State forests in the plain portion of the old Rawalpindi district.

*Letter No. 3080, dated 30th November 1906, from Commissioner, Rawalpindi, with all enclosures.

2. I am in the first place to express regret for the delay which has been allowed to occur in the submission of the case to Government. This delay is due principally to the fact that the reference was not submitted by the Financial Commissioner's office for orders till two months after receipt. As will be seen it was of special importance that orders should be passed in time to allow of Mr. Kitchin himself giving effect to them, and it is doubtful if this is now possible.

3. In paragraph 2 of his letter No. 1198, dated 7th August 1906, Mr. Kitchin describes the existing arrangements for management of the forests of this class in the Rawalpindi, Fatehjang and Attock tahsils, and in these no alteration is proposed.

4. The present reference really concerns 18 plots of unclassed forest in the Pindigheb tahsil. Of these one is already under the direct management of the Deputy Commissioner, and it is now proposed that the remaining 17 should also be transferred to his charge. The reasons given for this part of the proposals are clearly stated by the Settlement Officer and the Commissioner, and it seems unnecessary to repeat them. The plots are scattered all over the tahsil (see the map which is one of the enclosures), and the description given of them in paragraph 3 of Mr. Kitchin's report and paragraph 4 of Commissioner's forwarding letter clearly points to management by the District Officer, rather than by the Forest Department. The Conservator of Forests is opposed to the transfer; but his objections do not appear to be entitled to much weight, while it will be observed that the Deputy Conservator is in favour of the change, mainly for the reasons advanced by the Settlement Officer and the Commissioner in support of the proposal. Mr. Gordon Walker thinks that the transfer should certainly be sanctioned.

5. If the proposal is accepted it remains to decide as to the system under which these Government waste areas are to be managed in the future. Ordinarily the question would no doubt have to be decided with reference to the rules and orders which are contained in paragraphs 65 and 66 of Revised Revenue Circular 56. But the Financial Commissioner thinks that it is unnecessary to attempt to deal with it in this way, and that it will be better to follow the

lines indicated by Commissioner. For what is now proposed there is a very recent precedent in the treatment of the 13 Government chaks included in the Kachhi Assessment Circle of the Jhang district,—see the Government orders on that Settlement Report communicated in your letter No. 275, dated 11th December 1906. In paragraph 38 of the Assessment Report Mr. Abbott's proposals for assessing the grazing dues and distributing the amount over the neighbouring villages are stated. In his review the Financial Commissioner "agreed that the waste of the 13 Government estates should be similarly assessed and the assessment distributed as proposed between the neighbouring villages and Mr. Broadway." The orders of Government are contained in paragraph 3 of your letter quoted above.

6. It is perhaps rather difficult to make this arrangement fit in with the leasing rules; but that does not seem material, and the Financial Commissioner recommends that the precedent quoted should be followed in the present case. The amount of income involved is not very considerable, and we might start with this that the total is to be Rs. 1,600 per annum for the 17 rakhs. This total might first be distributed over the rakhs according to the relative value of the grazing on each. There would then have to be a redistribution of the amount fixed for each rakh between the villages which graze their cattle on it according to the approximate number of cattle that each village grazes. We should thus arrive at the amount payable by each village which would be fixed for the term of settlement. Mr. Gordon Walker has no doubt that the amount assessed on each village under this arrangement would be accepted by it. In the improbable case of a village refusing to be liable for the amount for the term of settlement, it would perhaps be necessary to arrange for the introduction of a lessee. Under the arrangement proposed Government would not have to concern itself with the internal distribution of the amount assessed on each village. The co-sharers would be liable for that, and would have to make their own arrangements for shifting part of the payment on cattle owners who are not also landowners.

7. In anticipation of orders Mr. Kitchin is being instructed to draw up a scheme of distribution over rakhs and villages on the lines indicated above, and if the present proposals are accepted there would be no difficulty in giving effect to such a scheme.

No. 3080, dated Rawalpindi, 30th November 1906.

From—M. W. Fenton, Esquire, I.C.S., Commissioner, Rawalpindi division,

To—The Senior Secretary to the Financial Commissioner, Punjab.

I have the honour to submit for the consideration of the Financial Commissioner Mr. Kitchin's report on the unclassed State forests of the plains of the old Rawalpindi district. The subject is discussed in paragraph VI of Mr. Kitchin's preliminary report (page 7, Punjab Government Proceedings, Revenue-Revenue, Nos. 74-89 A, of September 1905). The present report was submitted by Mr. Kitchin in the first instance to the Settlement Commissioner, who returned it with the direction that in accordance with paragraph 4 of Revenue Circular 25 A it should be submitted to the Divisional Commissioner.

No. 1198, dated 7th August 1906, to the address of the Settlement Commissioner, with enclosures in original.

2. It will be seen that the Settlement Officer proposes no alteration of existing arrangements except in regard to the rakhs of the Pindigheb tahsil. I agree with him. The present reference therefore asks for orders in regard to these rakhs only. Orders are required on two points, *viz.* :—

(1) the proposal to transfer management from the Forest Department to the Deputy Commissioner.

(2) the system of management if the Deputy Commissioner is to be in charge.

3. The area of the Pindigheb rakhs at present managed by the Forest Department consists of 17 rakhs comprising 64,836 acres. The average annual receipts amount to Rs. 2,116 and the protective establishment costs Rs. 552 per annum. As from the enclosed correspondence* it will be seen that the Conservator of Forests objects to the transfer of management from his department, it will be necessary to explain why the Settlement Officer's proposal is nevertheless recommended for sanction.

* No. 724 G., dated 15th November 1906, from Deputy Conservator of Forests, Rawalpindi, with enclosures.

4. These rakhs are practically treeless. They yield no income from timber or fuel to the Forest Department. The country is so arid and the rainfall ... duction of timber or fuel

rakhs, Mr. Kitchin says, are less thickly wooded than the village lands around them. These properties must I think be held to belong to the fourth class of forests described in the Government of India Forests Policy Resolution.† I quote as follows from that resolution :—

† No. 22 F., dated 19th October 1894, reproduced in Revenue Circular No. 56.

"12. The fourth class of forests referred to are pastures and grazing grounds proper, which are usually forests only in name. It is often convenient, indeed, to declare them forests under the Act, in order to obtain a statutory settlement of the rights which the State on the one hand and private individuals or communities on the other possess over them. But it by no means follows as a matter of course that these lands should be subjected to any strict system of conservation, or that they should be placed under the management of the Forest Department."

5. I think the Conservator of Forests in contending for Forest Department control must have overlooked the foregoing expression of the views of the Supreme Government. The main point in Mr. Chester's letter is that rakhs in general are the better for protection, and that the officials of the Forest Department are the best agency for carrying out protection. It seems to me that to speak of protection where there are only nine officials to look after an area of over 100 square miles, not in a compact block, but scattered throughout the tahsil, a region of arid inhospitable hills, ravines and valleys to expect such an agency to guard and promote tree growth under such circumstances is to ignore the actualities of the situation. The probability is that a subordinate agency placed in such a position without, the control, which, as will be seen from the enclosed correspondence, the Divisional Forest Officer confesses he is unable to exercise over a tract so remote, will make the most of their opportunities to levy blackmail or to exploit the rakhs for their own benefit.

6. The Forest Department has no lengthy connection with these rakhs. They were under district management until 1893. It was not in consequence of any local needs or requirements but in furtherance of a general provincial policy that the transfer then took place. The object of that policy, as explained in Financial Commissioner's Circular Memo No. 7500, dated 24th November 1890, was "to take advantage of the professional skill of the forest staff, to secure uniformity and economy of management and to bring the income from unclassed State forests under the proper head of account". An exception was made at the time in the case of the grazing grounds of the Bar and Thal. The considerations which justified that exception might have been advanced to exclude the Pindigheb rakhs also from being handed over to the Forest Department.

7. Whatever may have been the policy in favour in 1890 it is certain that forest policy now is regulated by the orders of the Government of India of 1894, from which I have quoted above. In these orders it is stated that the question of agency in the case of fourth class forests is purely one of economy and expediency. It cannot be economical, having regard to the small income involved, that the time of the Rawalpindi Divisional Forest Department should be diverted from its other important duties, even for the period of one tour per annum in this remote region. Moreover, if the expense of such a tour were debited to the account of these rakhs the net income would be still more insignificant.

8. The orders* passed on the recommendation of the Settlement Officer of Jhelum, whereby some 70,000 acres of the Salt Range rakhs were transferred from Forest Department to district management, are a direct precedent for what is proposed in the present case. In fact, having regard to the inferiority of the Pindigheb rakhs as compared with those of Talagang and Chakwal, the present case for transfer is the stronger of the two.

* Punjab Government, Forest Department, Proceedings, Nos. 1-8 A, of February 1901, and Nos. 5-19 A of May 1902.

9. Assuming that the Financial Commissioner and Government will accept Mr. Kitchin's recommendations and that the rakhs will be restored to district management, the question of the system of management to be introduced deserves some consideration. Paragraph 14 of the Government of India resolution of 1894 favours a system of leasing to the adjoining village communities, and in the case of the Talagang rakhs Government sanctioned five years leases to the villagers of the neighbourhood. But Mr. Kitchin now reports that the system has broken down in Talagang and that it has been found necessary there to revert to auctioning the leases. Such a development is undoubtedly contrary to the expectations of all the officers who were concerned with the introduction of the system into Jhelum, but after discussing the question with Mr. Kitchin, I feel assured that the causes which have led to the breakdown in Talagang can be avoided in Pindigheb. Mr. Kitchin, speaking of the Talagang sytem, "the difficulty of internal distribution of the lease price is insurmountable." The difficulty to which he refers is I think connected with the five year's system of leases. Each revision and renewal of the lease affords an opportunity of fresh disputes regarding internal distribution.

10. What I would suggest for Pindigheb is that the rakhs be leased for the term of settlement for fixed assessments, which would be added to the fixed land revenue of the village which took the lease. The average net income to Government in the past after

deducting salary of protective establishment, has been Rs. 1,564 per annum (*vide* paragraph 3 above), so that Government could afford, without loss, to let the rakhs for the term of settlement on fixed assessments totalling the above sum. The retention of protective establishment would then be unnecessary. Mr. Kitchin admitted that such a system would be feasible and that the selection of the village to which each rakh or portion of a rakh should be leased could be arranged, provided that orders are issued in time for them to be carried out by himself. It would be a great pity to allow delay in passing orders to frustrate the scheme. Mr. Kitchin's goes on leave next spring and it is therefore desirable that he should receive orders if possible early in January.

11. It is within the knowledge of the Financial Commissioner that in many recent settlements fixed assessments have been imposed on villages in respect of their surplus grazing area. Being in camp at present I have not my library to refer to, but I am under the impression that such assessments in respect of grazing profits are included in the arrangements introduced by the Settlement Officers of Multan, Dera Ghazi Khan, Montgomery, Muzaffargarh and Hissar. The surplus grazing waste from which such profits are derived, and upon which such assessments are imposed, is entirely under the management of the village communities concerned. Goverment exercises no control. The admission of exclusion of cattle of outsiders is a matter within the discretion of the village which owns the waste, as is also the scale of charges levied in respect of such outside cattle. What I now propose is that the Pindigheb rakhs be leased to the villagers for management on similar lines, Government taking its *quid pro quo* in the form of a fixed assessment for the term of settlement. Lands suitable for cultivation Government leases out for long terms. There is no reason why lands suitable for grazing should not be similarly dealt with. The existence throughout the province of vast areas of private grazing grounds negatives the assertion, if any one were minded to make it, that grazing rakhs are not suitable for management by others than officials. Of course the success of what I now propose will depend upon the proper allocation of areas to the particular villages whose needs and rights of user in the past give rise to claims. Such an allocation can now be made by the Settlement Officer, but by nobody else without a detailed inquiry, for which the ordinary district staff have no time.

12. I do not discuss the proposals in paragraphs 6 and 7 of the Settlement Officer's letter, as, if the recommendations made above are approved, there will be no need for any establishment or for any scale of grazing fees.

No. 1198, dated 7th August 1906.

From—The Settlement Officer, Rawalpindi,

To—The Settlement Commissioner, Punjab.

I HAVE the honour to submit a preliminary report on certain matters in connection with the forest administration of the plain forests of the Attock district. This report is submitted in compliance with the orders of Government directing an enquiry into forest administration in the old Rawalpindi district. In paragraph 6 of my letter No. 557, dated 9th Arpil 1905, I indicated that in my opinion the principles on which the unclassed plain forests were being worked needed consideration and you expressed concurrence with my views in paragraph 3 of your letter No. 2063, dated 24th May 1905. Subsequently, in paragraph 2 of my letter No. 101, dated 22nd January 1906, I said that I should like to report separately on the plain rakhs and that I should be in a position to report as soon as the last Assessment Report had gone in. A report will shortly be submitted dealing with all questions of forest administration, but that report will necessarily deal with such a multiplicity of subjects, some of which must be of a contentious character, that there is much advantage in considering separately the administration of certain of the plain forests, as regards which no general principles are involved. It is moreover important that if the proposals contained in the present letter are sanctioned, I should have the opportunity of myself carrying them into effect. As regards questions of general administration, so many matters are involved and so many officers will have to be consulted, that I see small prospect of any orders being passed until long after this settlement has been finished.

2. The unclassed forests of the Rawalpindi and Attock districts, with which alone this report deals, are situate only in the Rawalpindi, Fatehjang, Pindigheb and Attock tahsils, and all of them I have myself inspected. I should note that all areas in this letter are taken from the printed list of Punjab Forests, dated April 1904.

Tahsil Rawalpindi.

In the Rawalpindi tahsil there are two unclassed forests under the Forest Department, *viz*:—

	Acres.
Lohi Bhir	1,050
Takht Pari	2,210

Grazing leases are sold annually by auction.

There are also three forests under Civil administration, *viz* :—

	Acres.
Topi	547
Adiala	1,330
Pind Ranjha	252

The first is the Pindi Park, is under cantonment management and is strictly preserved. Most of the second is leased to the military grass farm, and the third is held by a lessee for cultivation, and has been separately reported on. No alteration of any kind is needed here.

Attock.

The only unclassed forest, *viz*, Attock, area 4,721 acres, is already under the charge of the Deputy Commissioner and no alteration is needed.

Fatehjang.

There are in Fatehjang two unclassed forests, both under the Forest Department, *viz* :—

	Acres.
Bagra	268
Dhungi	4,573

Both are somewhat inaccessible, and both are treeless and barren and have little grass on them. The grazing lease of the former sold this year for Rs. 12 and the latter for Rs. 135. There are no disputes in connection with them. Both lie near and below the large Khairi Murat Reserve and on that account they are best managed by the Forest Department. In my opinion the present arrangement should be undisturbed, and they should, as a matter of convenience, be managed by the Forest Department as before.

Pindigheb.

3. I attach in the appendix a list of all the unclassed forests, 18 in number, in the Pindigheb tahsil, showing their areas, the average receipts for the five years ending 1905-06, and a brief note showing the character of each of the forests. I propose to transfer the whole of these forests from the charge of the Forest Department to that of the Deputy Commissioner. One of them, Maira Nalhad, is already under the Deputy Commissioner. The case of these unclassed forests is entirely on all fours with that of the Talagang plain forests, all of which were transferred to the charge of the Deputy Commissioner at the last settlement of the Jhelum District,—*vide* Government Proceedings, February 1901 and May 1902 and paragraphs 107, 108, Final Settlement Report. None of these forests have any timber, except scrub, phulahi and karil, with some under-growth, and none have any valuable grazing or are capable of afforestation. Most of them are less thickly wooded than the villages around them. They are situated at the extreme southwest end of the forest division along the river, or scattered in inaccessible ravines and pebble ridges on the west of the tahsil. Personal supervision by the Forest Officer himself is impossible, and indeed Forest subordinates have much difficulty in reaching them. The grazing in these rakhs is of much importance to the adjoining villages, so that disputes, quarrels and complaints are always going on. Speculative purchases are common and feeling often runs high. There is no reason why these rakhs should not pay, but the question of their administration is no question of scientific forestry, but the question of local knowledge and of understanding of local needs and of local jealousies. The Deputy Commissioner with his revenue staff is far better able to look after these forests than the Forest Officer at Rawalpindi who is weighed down with his charge of hill forests, and has no time to spare for visiting these barren stretches of rock and ravine, with their scanty scrub grazing. No timber has ever been cut in these forests, or ever will be cut.

4. The present system of leasing these forests is to sell them by auction to the highest bidder. Some discretion is exercised, but mere speculators sometimes get leases while local jealousies often force the auction prices up to far more than the value of the grazing. It frequently happens that the villages which adjoin the rakhs have to pay more then they should, only to keep out some speculator or enemy, who bids with the sole object of causing annoyance. In Jhelum the Settlement Officer was so much impressed with the evils of the auction system that he obtained sanction to lease the forests for periods of five years to the adjoining villages. It was then laid down in the correspondence (Senior Secretary to the Financial Commissioner's letter No. 732, dated 14th September 1900), that it should not be in contemplation ever to revert to the old system of auction sales. Experience in Jhelum has shown that leases of forests to adjoining villages are not practically possible, not on the ground that the villages do not agree but that the difficulty of internal distribution of the lease price is insurmountable. To this subject I shall return in a later paragraph. I proceed to submit proposals as to the subsequent leasing of these forests on the understanding that auction sales are undesirable and leases to villages are impracticable. My proposal is that a maximum price, based on the fair grazing value of each lease be fixed and that no higher bid should ever be accepted. I would hold annual auction sales as at present but would offer the lease of each forest at a fixed price to one or more contractors who might be

agreeable to the zamindars of the villages using the forest. If the maximum price was not offered the auction would proceed backwards in diminishing sums until a bid was made. In this way I would secure to the Deputy Commissioner the fullest power to select contractors who were agreeable to the zamindars, and would at the same time ensure that the full market price was paid. I would further propose that the maximum sale prices of each forest, which would of course be based in the main on the prices realised in former years should be fixed and altered from time to time by the Commissioner and that the result of the annual auctions should be reported every year for the sanction of the Commissioner.

5. I have mentioned in the preceding paragraph that the five years lease system in the Talagang tahsil has broken down. Most of the leases there are now being sold by open auction in the way which has been so often condemned, and I understand that some of the speculative contractors, whom Mr. Talbot meant to oust, are again holding leases. I have consulted Mr. Agnew who, as Deputy Commissioner, carried Mr. Talbot's proposals into effect, and also Mr. Talbot himself and it seems certain that in several cases in Talagang it will never be possible to get whole villages to take leases and to arrange for the distribution of the demand over individuals. I therefore propose and I have Mr. Talbot's authority to say that he agrees that where village leases cannot be arranged in Talagang, then the leases should be auctioned in the manner proposed by me in the preceding paragraph, *viz.*, with a maximum price to be fixed and the lessees to be selected by the Deputy Commissioner after consultation with the villages concerned. In making suggestions as regards the Talagang tahsil I am actuated only by a desire to ensure that effect is given to Mr. Talbot's own intentions and to introduce a uniform system in the whole of the Attock district as now constituted.

6. The present scale of grazing fees in the three tahsils of the Attock district which came from Rawalpindi is as follows:—

Camel	2 annas per month.
Buffalo	1 anna "
Cow or bullock	6 pies "
Pony or mule	4 pies "
Donkey	2 pies "
Sheep or goat	1 pie "
Grass	2 pies per head load.

These are the maximum fees chargeable by the contractors, and are the fees charged by the department when passes are given by officials.

The recently sanctioned fees in the Talagang tahsil are as follows :—

Camel	16 annas per year.
Buffalo	6 annas "
Horse, Mule, Cow or bullock	4 annas "
Plough cattle	1 anna "
Donkey	2 annas "
Goat	1 anna "
Sheep	½ anna "
Grass-cutter, per sickle	8 annas "

young stock charged half rates; cattle, belonging to outsiders from a distance with no claim on the rakh, pay double rates. It is desirable to have uniformity in the rate of fees on all forests under the Deputy Commissioner's management throughout the Attock district. This is the more desirable as some of the Pindigheb and Talagang rakhs adjoin one another and a higher rate of fees in Pindigheb can hardly be justified. If then my proposal, to transfer to the Deputy Commissioner's charge all the forests in the appendix, be sanctioned, I would further propose that the scale of grazing fees in force in the Talagang tahsil be sanctioned for all unclassed forests under the Deputy Commissioner's control throughout the Attock district. The existing scale of fees had better remain for unclassed forests under forest management, so that a uniform scale for the whole of the Rawalpindi Forest Division may be in force.

7. If the Deputy Commissioner is to be in charge of the Pindigheb plain forests as proposed, it is also necessary that he should have a sufficient establishment for their surpervision. At present the Pindigheb forests are attached to the Kala Chitta Range and I understand from the District Forest Officer that the establishment employed on the unclassed forests is as follows :—

1 Forester at Rs. 25 per mensem.

1 Guard at Rs. 8 per mensem.

3 Guards at Rs. 7 per mensem each.

4 Guards at Rs. 6 per mensem each.

A separate establishment under the Deputy Commissioner is maintained for the Talagang tahsil, and that officer is, I understand, applying for a Tahsil Darogha in subordinate charge of all the forests. The Deputy Commissioner of Attock, whom I have consulted on this as on all questions connected with this reference, wishes a separate Darogha for each tahsil. With this I agree, as the Tahsildar will be in the main responsible for the forests in the tahsil, and it is easier for him to exercise control and easier to enforce his responsibility when the whole of the subordinate staff is under his orders. The establishment which I propose for the Pindigheb tahsil is—

1 Darogha on Rs. 25 per mensem.

5 Guards on Rs. 6 per mensem each.

At present one Guard is kept up for Maira Nalhad, which is under the Forest Department. Including him there will be six Guards. The pay of the Darogha is fixed at a rate which will enable a Kanungo candidate to be appointed or a Field Kanungo to be transferred to the post. Similarly, the pay of the Guards is the same as that of the tahsil chaprasis. It is very desirable to have the forest establishment interchangeable with the rest of the subordinate revenue establishment, as the necessity of transfers is certain to arise from time to time, while the chance of promotion should not be closed to the Darogha. I would further propose the Darogha should be a Kanungo, borne on the list of Kanungos and subject to the rules for the appointment of the Kanungos.

If the Forest Department want to get rid of the two unclassed forests in Fatehjang which I have not recommended, one Guard would be needed in that tahsil and the same scale of pay should be extended to him.

8. I would ask that if possible orders should be passed on this reference in time to allow me to carry the orders into effect. I have no doubt that I should be able to arrange with the Deputy Commissioner to give out the first contracts myself in both Pindigheb and Talagang and to put the whole scheme on a working footing.

I attach a map showing the unclassed forests in Pindigheb with the serial numbers given to them in the appendix to this report.

No. 724 G., dated Rawalpindi, 15th November 1906.

From—J. C. CARROLL, Esquire, Deputy Conservator of Forests, Rawalpindi division,

To—The Commissioner, Rawalpindi division.

WITH reference to your letter No. 2444, dated 11th September 1906, I have the honour to forward herewith copies of my No. 190, dated 17th September 1906, to the Conservator of Forests, Punjab, and of his No. 3115, dated 14th October 1906, from which you will see that, although I am myself in favour of giving up these rakhs to the civil authorities on account of the difficulty of personal supervision, the Conservator is not inclined to relinquish them, but maintains that better supervision can be ensured if they remain under the Forest Department. The enclosures to your letter are herewith returned.

No. 190, dated 17th September 1906.

From—The Deputy Conservator of Forests, Rawalpindi division,

To—The Conservator of Forests, Punjab.

I HAVE the honour to forward herewith a copy of a letter from the Commissioner, Rawalpindi division, together with the enclosures thereto in original, for favour of orders.

I am of opinion that the proposals of the Settlement Officer should be agreed to, as he is perfectly right regarding the description of the forests and also as regards the difficulty of personal supervision by the Forest Officer.

The district is very far from head-quarters and the whole time of the Forest Officer is very fully taken up by the visiting of the more important ranges, *i.e.*, Kahuta and Kala Chitta, during the cold season, and Murree range, during the hot weather. I believe that it is a fact that the Divisional Forest Officer has not visited the forests for the past six or seven years and the most recent thorough inspection was made by Mr. Hoghton about eight years ago.

This being the case it seems better that the areas should be transferred to the Deputy Commissioner, to whom they are more accessible and whose revenue staff could inform him better about disputes, etc., which occur. I would, however, suggest that a Forester and a Guard should be posted on the banks of the Indus to look after the timber traffic in the river, and that they should be under the Range Officer, Kala Chitta, to whom reports should be submitted.

The return of the enclosures is requested.

No. 3115, dated 14th—18th October 1906.

From—The Conservator of Forests, Punjab,

To—The Divisional Forest Officer, Rawalpindi division.

I HAVE the honour to acknowledge the receipt of your No. 190 of 17th ultimo, and of its enclosed copy of a letter No. 2444 of the 11th idem from the Commissioner, Rawalpindi division, to your address, containing a proposal from the Settlement Officer that the management of the 17 blocks of unclassed State Forests in the Pindigheb tahsil be made over to the Deputy Commissioner,

2. These forests are described by the Settlement Officer as containing no timber except scrub, phulahi and karil, with some undergrowth, and as not affording valuable grazing or being capable of afforestation and as being situated generally along the river or scattered in ravines and on pebble ridges. The reasons for the proposed change in management are that the grazing though poor is of much importance to the adjoining villages and gives rise to disputes and complaints, and again that the rakhs are situated far from the head-quarters of the Divisional Forest Officer and therefore difficult of inspection by him.

These rakhs are reported as giving an annual income from grazing of Rs. 2,116 while the protective establishment costs Rs. 552, leaving a surplus of something less than Rs. 1,500 a year.

3. I am of opinion that the fact that the rakhs do not yield a considerable surplus revenue and are not suited to growing large timber is not a sufficient reason for the proposed change. They should be managed in the interests of the neighbouring population and the main question to decide is whether the Forest Department, acting under the general control of the Deputy Commissioner, can manage them better than could the Deputy Commissioner through his tahsil subordinates.

4. It appears that the rakhs are necessary for the villagers and, besides affording grazing and browsing, *that they are indented on for fuel.** It will probably be admitted that the forest growth on these arid tracts is more sparse and stunted than was the case a few years ago, and, if it tends to disappear, that its protection is necessary, if only in the interests of the villagers themselves. In my opinion the forests in the Salt Range of the Jhelum district consisting of a very sparse growth of stunted bushes on the poorest of soil, have been more efficiently protected in the areas under the Forest Department, than in those under the charge of the Deputy Commissioner.

* There is nothing in the correspondence to show that they are indented on for fuel.
M. W. FENTON.

5. I can quite understand that the demand for grazing and the consequent jealousies and quarrels amongst the villagers may make it difficult for the Forest subordinates to manage the rakhs, but in my opinion the first duty of the Forest Officer is to protect forests (and not necessarily to make revenue), that protection is very necessary in cases of this kind, and that the Deputy Commissioner can through the Forest Department ensure better protection than through other agency. One of the objects of the annual plan of operations, which is prepared by the Divisional Forest Officer and sent to the Deputy Commissioner for approval, is to ensure due consideration being given to the requirements of villagers bordering the forests. This control is again enjoined in paragraph 3 of Revenue Circular No. 56.

6. I am not anxious to retain these rakhs on the books of the department merely because of their large area but consider that, for reasons above given, it is desirable that the department should retain management.

APPENDIX.

Statement of unclassed forests, tahsil Pindigheb.

Serial No.	Name of forest.	Area in acres.	Average lease price, five years 1901-02 to 1905-06.	Description.
			Rs.	
1	Makhad ...	7,624	343	High barren pebble ridges with a little phulahi in the south. Abuts on the Indus north of Makhad. In former days was leased to and managed by the Khan of Makhad. There is occasionally a little grass, but the grazing is mostly for goats.
2	Utran ...	2,954	93	On south border of tahsil adjoining the Soan. Some old phulahi in places, but no reproduction. Grazing of all kinds is allowed. There is a little culturable land, but generally the forest is a steep rocky bank of the Soan.
3	Jabbi ...	828	35	A level patch between Pindigheb and Basai; two plots leased for cultivation have been cut out of the rakh. No trees or brushwood, but some fair grazing. Most of it is culturable.
4	Tawin ...	8,717	209	A long strip of rock and ravine running east and west Very little wood, and grazing is of the roughest character. The rakh runs right through the middle of village Gulial Bhal, which village suffers a good deal of annoyance from contractors.
5	Rakh Dhok Mila ...	2,220	27	On the Chakwal border adjoining Rakh Hasal in Chakwal tahsil. A ravine depression of bare rock with steep sides. A little scrub, phulahi, but otherwise no wood. Some good grass after rain. There is water in the ravine and villagers are apt to be annoyed by contractors and Forest subordinates when watering the cattle, but they have a right of way.
6	Naka Kalan ...	1,442	47	The rakh is the bottom of a stony ravine with steep banks on either side. A little phulahi and scrub jungle and at times a little grass.
7	Gokhi ...	1,001	64	These rakhs are the most inaccessible in the tahsil. All are on the Indus and are carved out of the area of the huge village of Nararh. Why they were ever made it would be difficult indeed to say. Grazing is only by the Nararh Pathans. The land is pebble ridges with scrub jungle and no trees. The grass of Saulian is very good after rain. There ought not to be separate grazing fees for these rakhs.
8	Torabera ...	2,046	98	
9	Saulian ...	4,992	65	
10	Chattri	7,668	206	This forest separates the Pathans on the south from the Awans on the north. It is all rough pebble ridge, with no wood and very little grass. Even for browsers the grazing is bad. The price of the lease is kept up by the Pathans and the Awans competing for the contract.
11	Trap Narain ...	2,766	183	Adjoins the Trap rakh in Talagang, is all pebble ridge with a little phulahi and karil and occasionally good grass. The Injra Trap road runs through the forest and there is a tank by the road. What with levying separate fees for the Talagang and Pindigheb rakhs and annoyance to cattle going to water, this forest offers temptation to speculators. The Trap rakh in Talagang is exploited in the same way.
12	Gulial ...	16,998	500	Much the largest unclassed forest in the tahsil. It runs in a long stretch east and west and many villages graze in it. The land is ravine and pebble ridge with a fair amount of grass. In some parts there is good phulahi, but not so good as in adjoining villages. The boundary of village Malhowai runs right up into the rakh and the villagers have trouble in getting about. At times there are a lot of complaints.

Statement of unclassed forests, tahsil Pindigheb—concluded.

Serial No.	Name of forest.	Area in acres.	Average lease price, five years 1901-02 to 1905-06.	Description.
			Rs.	
13	Kot Chajji ...	248	37	It is difficult to say why this forest was ever formed It is a patch of bare rock entirely surrounded by Kot Chajji village. It runs up to the village tank and contains several cultivated proprietary fields. The villagers should always get the lease, but at present there is a quarrel every year. I would not give up the rakh, but would see that respectable representatives of the village get the lease every year.
14	Jalwal A ...	338	50	As in Kot Chajji No. 13, but not so bad a case. These are two separate blocks both surrounded by Jalwal village. Leases are sold separately and give the maximum of inconvenience, while quarrelling forces up the price every now and then. There is some rough goat grazing only, and the high price realised for A only means that it is more inconvenient than the other.
15	Jalwal B ...	1,057	35	
16	Aranwali ...	670	10	Half of this plot has been leased to an old soldier. The rest is rock with some culturable land on the south. The lessee manages to keep the grazing contract for the rest, which is as it should be.
17	Mari ...	3,261	114	Near Jand. Consists of ravine and hillock, with a few karil trees and a little rough grazing.
	Total unclassed forest under Forest Department management.—17 forests, area 64,836 acres :— average receipts, Rs. 2,116 ; average receipts per acre, 6 pies.			
	Unclassed forest under Deputy Commissioner's management.			
18	Maira Nalhad ...	3,073	53	Three leased plots have been granted for cultivation, out of this forest It is all difficult pebble ridge without wood and is very inferior. It was originally given over to the Deputy Commissioner, being the worst rakh in tahsil. This forest is omitted from the official printed list issued by the Forest Department.
	Average receipts, 3 pies	per acre.		

A. J. W. KITCHIN.

Settlement Officer.

No. 220 (Forests), dated Lahore, the 15th April 1907.

From —Miles Irving, Esquire, Under Secretary to Government, Punjab, Revenue Department,

To—The Junior Secretary to the Financial Commissioner, Punjab.

In reply to your letter No. 162, dated the 26th of February 1907, regarding the treatment of certain unclassed State forests in the plain portion of the old Rawalpindi district, I am directed to say that the proposal to transfer the 17 plots of unclassed forest in the Pindigheb tahsil referred to in paragraph 4 of your letter under reply from the Forest Department to the Deputy Commissioner of Attock is sanctioned. Before, however, passing orders on the proposals for their management, the Lieutenant-Governor wishes to await Mr. Kitchin's report on the scheme of distribution referred to in paragraph 7 of your letter as its feasibility depends largely upon local conditions.

No. 413, dated Lahore, 24th May 1907.

From—R. C. Bolster, Esquire, I. C.S., Junior Secretary to the Financial Commissioner, Punjab,

To—The Under Secretary to Government, Punjab, Revenue Department.

Mr. Irving's letter No 220, dated 15th April 1907, sanctioned the proposal to transfer 17 plots of unclassed forest in the Pindigheb tahsil from the

Forest Department to the Deputy Commissioner of Attock, but remarked that Mr. Kitchin's report on the scheme of distribution referred to in paragraph 7 of my letter No. 162, dated 26th February 1907, was awaited.

2. I am now to forward copies of Mr. Fenton's letter No. 1112, dated 30th April 1907, and of Mr. Kitchin's letter No. 357, dated 6th April 1907, which forms the enclosure thereto, and to offer the following remarks of the officiating Financial Commissioner.

3. The rakhs ought in Mr. Douie's opinion to be managed entirely in the interests of the adjoining estates. Some of them have no wood at all, but some contain poor phulahi and karil, and in an arid and inhospitable tract like Pindigheb it is very desirable to keep up any wood that exists. There is no advantage to be gained, Mr. Douie thinks, by allowing cultivation. The people are headstrong and quarrelsome, and any plan we adopt for the leasing of the rakhs must take account of this.

4. The scheme proposed by Mr. Fenton and supported in paragraph 5 of this office letter No. 162 dated 26th February, is an attractive one. But Mr. Douie thinks that Mr. Kitchin has shown that in practice it would be very difficult to work. It might have been supposed that the plan would have been welcomed by the people, especially in the case of such rakhs as Gokhi, Torabera and Sawlian (*vide* the appendix accompanying Mr. Kitchin's letter No. 1198, dated 7th August 1906, which was an enclosure to this office letter above quoted), all carved out of the single village of Nararh and used only by inhabitants of that estate Yet these are 3 of the 5 Pathan rakhs as to which Mr. Kitchin writes that the disputes are "so serious that the people decline to take up the leases at all" on the ground that incessant quarrels would result. In other cases quarrels between the different villages using the rakhs would be aroused. Mr. Douie considers therefore, that we must fall back on the system of leasing yearly.

5. The farmers should, as far as possible be leading members of the rural community, and the system proposed in paragraph 4 of Mr. Kitchin's No. 1198, dated 7th August 1906, might be adopted for the next five years, and the result then reported. In the case referred to in the beginning of paragraph 4 of the Settlement Officer's No. 357, dated 6th April, in which adjoining villages agreed as to their shares of the assessment and the mode of bachh, they might be given the farm on these shares for the same period, all lopping or cutting of wood and breaking up of land for cultivation being forbidden. Mr. Fenton's suggestion to make it "a wajib-ul-arz condition that trees may not be cut" is not feasible seeing these are Government estates.

6. At first sight it might appear that there was a case for surrendering some of these rakhs altogether to the adjoining estates. But probably it is really better for the people that they should remain Government property. If they were given up, it would be difficult to ensure that the weaker members of the community got a fair share of the benefits, such as they are, to be derived from them. Even if we forbade cultivation and made the areas impartible, it seems likely enough that many quarrels would arise.

No. 1112, dated Rawalpindi, 30th April 1907.

From—M. W. FENTON, Esquire, I.C.S., Offg. Commissioner, Rawalpindi division,

To—The Junior Secretary to the Financial Commissioner, Punjab.

IN reply to your endorsement No. 2630, dated 24th April 1907, I have the honour to submit copy of a letter No. 357, * dated 6th instant, from Mr. Kitchin, on the subject of the Pindigheb rakhs.

2. It will be seen that Mr. Kitchin reports that many difficulties will be encountered in carrying out the orders of the Financial Commissioner, but I cannot help thinking that he takes an exaggerated view of the situation.

3. I recommend that action be taken under section 59 (1) (*f*) of the Land Revenue Act as proposed in paragraph 5 of Mr. Kitchin's letter. In this way the villagers will be saved from all responsibility of "agreeing" to the allocation of specific areas with specific assessments.

4. I see no reason why cultivation should not be freely allowed within these rakhs subject to the rules in paragraph 64 of Revenue Circular No. 56. It will be making a much better use of them than we are doing at present. The rakhs are unsuitable for ordinary cultivating leases because the culturable plots are found only in small patches here and there and no compact area for a lease could be demarcated that would not include more unculturable than culturable soil. The grant of harvest leases for small plots would not be inconsistent with the assessment under section 59 (1) (*f*) Land Revenue Act, of the profits derived from the grazing.

5. As to the tree growth, it might be made a wajib-ul-arz condition that trees may not be cut, but there is no conceivable object in adopting any special measures for preserving the sporadic bushes which adorn these barren hills, and we may contemplate with equanimity their future fate.

6. Mr. Dunnett, who has succeeded Mr. Kitchin as Settlement Officer, could introduce the assessments proposed in appendix A of Mr. Kitchin's present letter.

No. 357, dated 6th April 1907.

From—A. J. W. Kitchin, Esquire, I. C.S., Settlement Officer, Rawalpindi,

To—The Commissioner, Rawalpindi division.

In reply to Junior Secretary to Financial Commissioner's letter No. 1263, dated 26th February 1907, received with your endorsement No. 544, dated 2nd March 1607, I have the honour to report that in accordance with the orders received I at once drafted a scheme for leasing the various rakhs in Pindigheb and sent it to the Settlement Tahsildar to call up the villagers and work out the details of the shares of the villages and the mode of internal distribution. I myself visited Pindigheb for two days in March, saw some of the villages, and talked over details with the people and with the tahsil officials. I had intended visting the tahsil again for a few days to decide all disputes myself and to talk the people round where they did not agree. The result of the preliminary enquiries however is such that it would be waste of time to try to carry the scheme any further, and the object of the report is to point out that the proposed scheme will not work.

2. You are aware that the scheme as provisionally sanctioned by the Financial Commissioner is not the one which I submitted for sanction, and that I objected verbally and by letter that the difficulties of the internal distribution would be insuperable, if it was expected that the people would agree as to the distribution. You, however, pointed out to me that under section 59 of the Land Revenue Act the leases of the rakhs would be considered as a special assessment, and that the assessment and mode of bachh could be made by order irrespective of the consent of the people themselves. This disposed of one very serious difficulty, but I ought to have pressed more strongly the other difficulty. To make over the rakhs to the people without control or restraint will lead to all the wood being cleared off them. The people will not have, or at least do not believe that they will have, the same security of tenure as over their own grazing lands. They will preserve their own grazing lands at the expense of the Government forests, and the latter will be ruined. The people themselves protest that they cannot be responsible for the wood in the forests and themselves ask for some official mode of conservancy. Personally I do not think it is right, and the Deputy Conservator of Forests entirely agrees with me, that these large areas of Government waste, barren and little wooded though they be, should be handed over to the inevitable destruction which must be their fate if this scheme is brought into operation. The great majority of the graziers themselves, when confronted with a choice between conservancy and non-interference, are in favour of conservancy.

3. The new scheme of leasing the rakhs is proposed in order to prevent disputes and avoid trouble, but it would in fact result in constant trouble and constant annoyance. It is, I understand, proposed that there shall be no official interference with the rakhs or with the manner of internal distribution of the assessment. This is not practicable. Even after the excitement caused by the dispute over the bachh and the resulting appeals had died away there would be no finality. Every year new disputes would arise and new complaints would be lodged, which no district officer and no Tahsildar would refuse to hear and to decide. The rakhs would be and could remain a constant trouble and annoyance to the people and to the administration.

4. There are 18 rakhs in the tahsil which it is proposed to lease to adjoining villages. Of the total number of rakhs there is only one in which the villages adjoining the rakh have agreed as to their shares in the assessment and as to the mode of bachh.

The others are all disputed. In three cases the owners want to take the leases and agree on shares, but differ as to the mode of bachh and propose that the leases should be given to a few individual owners. In 8 cases the shares of adjoining villages and the mode of bachh are alike disputed. In all the above cases I have little doubt that I could get the people to agree to some scheme, or at any rate not to object to the

scheme imposed upon them. In the remaining 6 cases, including the 5 Pathan rakhs, the disputes are serious, so serious that the people decline to take up the leases at all, saying that there would be too many disputes. In some of these cases I might perhaps, if I had a couple of weeks to spare, get the people to agree to something, but I should be sorry to pledge myself to success and still more sorry to pledge myself that disputes would not break out afterwards.

5. If the scheme proposed by you is to be carried through, there is only one way to do it. The assessment on each of the rakhs must be announced and the people told that the assessments are sanctioned under section 59, Land Revenue Act, and are independent of their agreement. The distribution over the villages could be done easily enough by order as part of the work of distribution. The resulting demand on each village would then be distributed rateably over the holdings in proportion to the land revenue paid, without regard to the number of cattle possessed by any landowner or to the fact that any landowner is or is not resident in the village. The total demand on each village would be very small, seldom more than one anna per rupee of land revenue and often much less. It would be collected by the lambardars, who ought to get the ordinary 5 per cent. cess, and would be collected and in all other respects treated as ordinary land revenue. If this were done and the rakhs left entirely to the people, the present disputes would die down and the scheme would work quietly enough. In appendix A of this letter I give a list of the assessments which I would propose if the above method of disposing of the case be sanctioned. There would then be no more trouble if no questions are asked about trees being cut down, and things will go on quietly enough until some of the people begin to break up the lands for cultivation, and this will surely happen sooner or later. If this method of disposing of the rakhs is approved, I do not think that any serious difficulty would be experienced in carrying the orders into effect. I wish, however, to make it quite clear that I do not support the proposal and do not think that the Government rakhs ought to be disposed of in this way. If orders to this effect are issued, the rights and duties of the zamindars with reference to timber and cultivation should be clearly laid down, so that they may be explained to the people. Preliminary orders sanctioning the assessments proposed in appendix A are necessary, before the case can be carried any further.

6. If the above scheme be not sanctioned, and I have not recommended it, then I would revert to the proposals contained in paragraphs 4, 6 and 7 of my letter No. 1198, dated 7th August 1906, and ask that they may be sanctioned, including both the system of auction proposed and the establishment. In order to carry the proposal a step further I attach in appendix B a list of the rakhs with the maximum auction prices which I would fix for each rakh. The proposed maxima are based partly on the five years averages and partly on what experience has shown to be the real grazing value of each rakh. It will be seen that the sum of the maximum prices proposed is Rs. 2,500. The cost of establishment proposed is Rs. 660 per annum.

7. In deciding this case I trust that it will not escape notice that in paragraph 5 of my original letter I referred to the Tallagang district rakhs also, and suggested that new arrangements were necessary there also in sympathy with whatever arrangements may be sanctioned in the tahsils under settlement. The period of the present leases expires on 30th June 1907.

Appendix A.

Name of forest.	Proposed assessment.
	Rs.
1. Makhad	250
2. Utran	70
3. Jabi	25
4. Tawin	150
5. Kot Chajji	20
6. Jalwal A	20 } 50
7. Jalwal B	30 }
8. Dhok Mila	20
9. Mari	90

Appendix A.

Name of forest.	Proposed assessment.
	Rs.
10. Aranwali	5
11. Naka Kalan	30
12. Goki	40
13. Torabera	70
14. Sulian	50
15. Chitti	150
16. Trap Narain	140
17. Gulial	400
18. Maira Nalhad	40
Total ...	1,600

Appendix B.

	Proposed maximum auction Sale price.
1. Makhad	400
2. Utran	100
3. Jabi	40
4. Tawin	200
5. Kot Chajji	40
6. Jalwal A	} 80 should be sold together.
7. Jalwal B	
8. Dhok Mila	35
9. Mari	125
10. Aranwali	10
11. Naka Kalan	50
12. Goki	70
13. Torabera	120
14. Sulian	100
15. Chitti	250
16. Trap Narain	200
17. Gulial	600
18. Maira Nalhad	80
Total ...	2,500

No. 422 (Forests), Lahore, 3rd September 1907.

From—The Hon'ble Mr. E. D. Maclagan, C.S., Chief Secretary to Government Punjab,
To—The Junior Secretary to the Financial Commissioner, Punjab.

In reply to your letter No. 413,* dated 24th May 1907, I am directed to convey sanction to the Financial Commissioner's proposal that 17 plots of unclassed forest in the Pindigheb tahsil of the Attock district should be

given out on yearly leases. All lopping or cutting of trees and bushes and breaking up of land for cultivation should, for the present at any rate, be forbidden.

Copy of Financial Commissioner's endorsement No. 5561, dated 27th September 1907.

COPY of Punjab Government letter No. 422, dated 3rd September 1907, with copy of letter replied to, forwarded to M. W. Fenton, Esquire, Commissioner of the Rawalpindi Division, with reference to his letter No. 1112, dated 30th April last, for information and guidance and for report, if necessary, as to carrying out the orders of Government.

Letter No. 232, dated 23rd January 1908. from J. McC. Douie, Esquire, C. S. I., Commissioner, Rawalpindi Division, to R. C. Bolster, Esquire, Junior Secretary to the Financial Commissioner, Punjab.

WITH reference to your endorsement No. 5561, dated 27th September 1907, forwarding a copy of the orders of Government on the future management of Government rakhs in the part of the Attock district which was formerly included in Rawalpindi, I have the honour to refer you to paragraph 6 of Mr. Kitchin's No. 1198, dated 7th August 1906 (Forest Department Proceedings No. 27 of April 1907), and to submit a copy of a letter No. 239-G., dated 18th January 1908, from the Deputy Commissioner of Attock. For the reasons given by Mr. Kitchin I think the proposal to reduce the grazing fees in force in Pindigheb to those in force in Talagang may be sanctioned. The grazing is usually of the poorest description.

Letter No. 313, dated 1st February 1908, from J. McC. Douie, Esquire, C. S. I., Commissioner, Rawalpindi Division, to R. C. Bolster, Esquire, Junior Secretary to the Financial Commissioner, Punjab.

In continuation of my No. 232, dated 23rd January 1908, I have the honour to say that the Deputy Commissioner of Attock has asked that the orders passed as to grazing fees in the Pindigheb rakhs may also apply to the single unclassed forest in the Attock tahsil which is in charge of the Deputy Commissioner, it is referred to in paragraph 2 of Mr. Kitchin's No. 1198, dated 7th August 1906 (Forest Proceedings No. 27 of April 1907).

Letter No. 1725, dated 18th March 1908, from R. C. Bolster, Esquire, Junior Secretary to the Financial Commissioner, Punjab, to J. McC. Douie, Esquire. C. S. I., Commissioner, Rawalpindi Division.

IN reply to your letters No. 232 and 313, dated 23rd January and 1st. February 1908, respectively, I am directed to say that the Financial Commissioner is pleased to sanction the reduction of the scale of grazing fees in force in tahsils Pindigheb and Attock of the Attock district for unclassed forests under the control of the Deputy Commissioner, to that in force in the Talagang tahsil of the same district.

III.—Trees on Private lands in the Rawalpindi District outside the Murree and Kahuta Tahsils.

No. 887, dated Lahore, 30th November 1906.

From—R. C. BOLSTER, Esquire, Junior Secretary to the Financial Commissioner, Punjab,

To—The offg. Chief Secretary to Government, Punjab.

I AM directed to submit Commissioner Rawalpindi's letter No. 2707, dated 16th October 1906, with enclosures, on the subject of the protection of trees on private lands in the old Rawalpindi district (outside the Murree and Kahuta tahsils), and to convey the following remarks of the Financial Commissioner on the proposals of the Settlement Officer.

2. For the reasons given by Mr. Kitchin, the Financial Commissioner agrees that it is quite unnecessary, as it would be useless, to attempt to continue the restrictions except in respect of the 33 villages in tahsil Rawalpindi, of which a list is given in Settlement Officer's appendix C. He also agrees, for the reasons given by Mr. Kitchin in paragraph 3 of his letter, that the rules (or orders) should continue to apply to these 33 villages.

3. As regards, however, the method in which it is proposed to give effect to the proposal, Mr. Gordon Walker has been unable to accept that suggested by the local officers, to which there are several obvious objections. I am to

enclose a draft notification which has been framed by the Legal Remembrancer, and to recommend its publication. A copy of a note on the subject written by the Legal Remembrancer on a reference by the Financial Commissioner is also enclosed for information.

No. 2707, dated Rawalpindi, 16th October 1906.

From—M. W. FENTON, Esquire, offg. Commissioner, Rawalpindi Division,

To—The Senior Secretary to the Financial Commissioner, Punjab.

I HAVE the honour to submit Mr. Kitchin's report on one of the Rawalpindi forest questions referred to in the enclosures of your letter No. 297 S., dated 22nd July 1905, to the address of Government (Punjab Government Proceedings, Nos. 74-89 A, Revenue—Revenue, of September 1905).

2. The report, which is self-contained, deals with the question of the protection of trees on private lands outside the Murree and Kahuta tahsils. It is not proposed to touch the existing rules on the subject which are reproduced on pages 24 and 25 of the volume of Punjab Forest Rules. All that is now proposed is to confine the operation of these rules to the villages in which they have heretofore been enforced and in which alone their enforcement is desirable, and this object is to be attained by amending the notification† of the year 1880, which gave a list of the villages to which the rules apply. It cannot be said that the existence of the notification of 1880 and the fact that the rules to which it refers are a dead letter in the majority of the villages specified therein have caused or cause any practical inconvenience, but the Settlement Officer is no doubt logical and right in bringing the law into accordance with actualities. I therefore recommend that his appendix C, with one correction, be issued as he recommends in supersession of the notification of 29th November 1880.

† No. 483 F., of 29th November 1880.

3. The correction to which I refer is the omission of the words "and in exercise of the powers conferred by clause (*c*) of section 75 of the Indian Forest Act, 1878." Mr. Kitchin explains that he has imported these words in order to provide a penalty which he thinks otherwise would be wanting. How a breach of rules which are in force under the Punjab Laws Act could be enforced by a penalty under the Forest Act I fail to understand. But Mr. Kitchin is mistaken in supposing that the rules as they stand do not carry a penalty. The rules are issued in pursuance of a power given by the 1855 rules, and any breach of them is punishable under paragraph (12) of the latter. This is explained in paragraphs 5 and 6 of Mr. Wilson's letter No. 287 G., dated 21st July 1898, which will be found among the enclosures of my predecessor's letter No. 1472, dated 17th May 1899, to your address (*vide* Punjab Government Proceedings, Forest Department, Nos. 32-64 A, of July 1901). Mr. Wilson, it is true, there refers not to the rules at present under discussion, but to certain rules issued in 1856 under the authority of the 1855 rules; but the legal position is the same. The rules of 1855 contain the penalty clause for the enforcement of any subsidiary rules issued the thereunder.

No 1519, dated 10th October 1906.

From—A. J. W. KITCHIN, Esquire, C.S., Settlement Officer, Rawalpindi,

To—The Commissioner, Rawalpindi Division.

IN paragraph 10 of my letter No. 557, dated 9th April 1905, to the Settlement Commissioner, of which a copy has been forwarded to you, I referred to the difficulty which has been experienced in working the rules for the preservation of timber on the village waste and private lands of the old Rawalpindi district, exclusive of Murree and Kahuta. The existing rules were published in *Punjab Gazette* notification No. 457 F., dated 10th, November 1879, printed on page 24 of the Punjab Forest Rules. For convenience of reference I give a copy of the rules in appendix A attached to this letter. The villages and the areas to which these rules apply were published in *Punjab Gazette* notification No. 483 F., dated 29th November 1880, of which I gave a copy in appendix B. A glance at the list of villages in appendix B will show clearly how unworkable the rules were. No one knows or ever has known to what areas the rules applied. I say that no one ever has known, for the list was prepared by calling on Tahsildars to report the areas in each village capable of bearing forest trees. The Tahsildars of course deputed the duties to patwaris who entered areas of waste or of grazing lands, without perhaps themselves knowing what areas were meant. No one has ever been able to identify these areas, and in the vast majority of villages the rules have been a dead letter from the very beginning. Occasional prosecutions have generally failed. The notification, appendix B, must be redrafted, and the question arises again to what areas and to what villages the rules in appendix A should be made to apply.

2. The rules contained in the notification in appendix A are based on the rules of 1855 and are not based on the Forest Act. I do not propose to cancel that notification, for the

rules, such as they are, have worked satisfactorily enough for more than 25 years in the villages in which they can be worked. My proposal, then, is to leave unaltered the rules in appendix A, and to redraft the notification, appendix B, declaring the areas to which the rules apply.

3. In paragraph 1, I have said that the rules have long been a dead letter. As regards the vast majority of the 261 villages in appendix B, ‡‡ this is true, but it is not true as regards all. In the villages running south along the Margalla reserve on the north border of the Rawalpindi tahsil, the areas defined in appendix B are sufficiently precise to make it possible for control to have been exercised on timber-cutting. These villages are all near the Rawalpindi market, and if the control, now exercised, be removed, wood would be cut without restriction for sale in the city and cantonment, with the result that the waste lands would soon be denuded of all trees. To clear away the trees on the lower slopes of the Margalla reserve would be not only harmful to the villages concerned, but would undoubtedly lead to denudation and injury to the valuable forest above. Some of these villages still have a rich growth of timber and the villagers should not be allowed to destroy it.

4. Where the rules have always been a dead letter, I would accept that fact and exclude such villages from the operation of the rules. It is difficult to understand why most of the villages were ever entered in the list, for the list itself shows how small were the areas to which the rules were intended to apply. It is too late now to try and enforce restrictions, not necessary in themselves, in villages which have never before felt the hand of restriction. I trust that I shall not be considered wrong in saying that Colonel Montgomery, late Commissioner and now retired, advised me to propose for exemption all villages in which the rules were not really in force. This is my own opinion, and seems to me the right course to take.

5. In appendix C I have drafted a new proposed notification, restricting the operation of the rules in appendix A to the waste and uncultivated lands of 33 villages in Rawalpindi tahsil. It is not sufficient to extend the rules to the common lands, for much of the common lands are cultivated and some of the villages are held in sole proprietorship. The villages entered in the new proposed notification are all villages in the Rawalpindi tahsil and bordering on the Margalla reserve. The really important point is to prevent these villages from selling their wood, without restriction, in the Rawalpindi market. I have referred the new draft to powers exercised under section 75 of the Forest Act, for the old rules contained no penal clauses whatever.

APPENDIX A.

Rules regarding certain unclassed forests.

GAZETTE NOTIFICATION.

The 10th November 1879.

No. 457 *F.—Notification.**—Under the authority contained in the rules for the conservancy of forests and jungles in the hill districts of the Punjab territories, mentioned in the first scehdule of Act IV† of 1872, the Hon'ble the Lieutenant-Governor is pleased to issue the following orders:—

Applicable to the hill tracts of Rawalpindi district excepting the Murree and Kahuta tahsils (under the rules of 1855.

†The Punjab Laws Act, 1872.

1. These orders apply to the whole of the hill tracts included within village boundaries in the Rawalpindi district, excepting the Murree and Kahuta tahsils.

2. In respect to the tracts to which these orders apply, the directions previously issued by the Commissioner of Rawalpindi in 1856 are cancelled.

3. Under the authority contained in the 5th of the Governor-General's rules, it is hereby declared that all village residents are entitled to wood for their agricultural and domestic purposes from the trees and shrubs of spontaneous growth produced by the waste lands of the villages in which they reside. Ordinarily no charge shall be made on account of this privilege ; nor shall any permission be requisite prior to its exercise. But under special circumstances, for sufficient reason shown, the Deputy Commissioner may impose a fee, or require a written application to the felling of timber.

4. Under the authority contained in the 7th of the Governor-General's rules, the partition or cultivation of uncultivated hill lands, held in common, whether actually bearing timber and brushwood, or suited to such a purpose, is prohibited, except in cases in which the persons desiring the partition or cultivation can show that the operation will leave sufficient provision for the exercise of the privileges granted by the preceding rule.

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* The areas to which this notification applies were published in notification No. 483 F., dated 29th November 1880.

5. Under the same authority, the sale of wood to military cantonments, to the Public Works Department, to charcoal and surkhi burners, and to contractors and railways, is prohibited, except with the permission, in writing, of the Deputy Commissioner previously obtained. Such permission shall not be granted except, in special cases, where the proposed sales will not interfere with the due supply of the residents of the village and its vicinity. All other previous restrictions on the sale of wood are hereby removed. This rule does not prohibit the preparation of surkhi and charcoal by villagers for their reasonable wants.

6. Nothing in these orders shall be construed—

(1) as conferring privilege in demarcated rakhs;

(2) nor so as to affect cultivated trees;

(3) nor so as to warrant the cutting of timber and fuel for sale by persons who are not proprietors of the land on which it is cut;

(4) nor so as to restrict the Depty Commisisoner or Forest Officers in their management of Government rakhs.

APPENDIX B.

Gazette Notification.

The 29th November 1880.

No. 483 *F.—Notification.*—In continuation of *Punjab Government Gazette* notification No. 457 F., dated 10th November 1879, and with reference to No. 1 of the orders issued therewith, the Hon'ble the Lieutenant-Governor is pleased to direct the publication of the accompanying statement showing particulars of the hill forest lands within village boundaries in tahsils Rawalpindi, Gujar Khan, Fatehjang, Pindigheb and Attock to which the said orders apply.

(See Original Notification.)

Note, dated 17th November 1906, recorded by S. M. Robinson, Esquire, Legal Remembrancer to Government, Punjab.

The rules sanctioned by the Governor-General in Council in 1855 have been given the force of law by Act IV of 1872. They give power to the civil authorities to make other or subsidiary rules and speak of such subsidiary rules as "rules." The Local Government in exercise of the powers so granted have, it is true, issued, in notification No. 457 F., dated 10th November 1879, what it calls "orders," but the use of this expression is I think immaterial; they are none the less "rules." These "orders" or "rules" apply to "the whole of the hill tracts included within village boundaries in the Rawalpindi district, excepting the Murree and Kahuta tahsils," and, as the Financial Commissioner points out, they must be repealed and re-enacted if they are now to apply to a restricted area only.

2. Again, these orders or rules do not contain any penalty for their breach. No. 12 of the Governor-General's rules, it is true, provides that "any person who may infringe any of the above rules" (that is any subsidiary rule made by the civil authorities) "may be fined at the discretion of the civil authority to an amount not exceeding Rs. 100 for each offence." Now whatever the Governor-General may have intended by this it has always, so far as I am aware, been held that such a provision merely gives power to impose a penalty when making a subsidiary rule in exercise of the power to do so previously granted and does not itself enact the penalty. This was so understood when the 1856 rules were framed and has also been held to be so apparently by the Chief Court in Criminal Revision No. 1193 of 1892. I therefore think that a rule imposing a penalty for breach of any previous rule should be made.

3. The proper method therefore to effect the purpose proposed is, I consider, to supersede notifications Nos. 457 of 10th November 1879 and 483 of 29th November 1880, and issue a fresh notification publishing new rules with a schedule annexed defining the areas to which the rules apply. I attach a draft notification for approval.

Gazette Notification.

The 24th January 1907.

No. 79.—*Notification.*—In exercise of the power conferred by the rules for the conservancy of forests and jungles in the hill districts of the Punjab territories mentioned in the first schedule of the Punjab Laws Act, 1872 (IV of 1872), and in supersession of Punjab Government notifications No. 457, dated 10th November 1879, and No. 483,

dated 29th November 1880, the Lieutenant-Governor of the Punjab is pleased to make the following rules :—

1. These rules apply to the waste and uncultivated areas within the boundaries of the villages in the tahsil of Rawalpindi in the Rawalpindi district specified in the schedule hereunto annexed.

2. In respect to the tracts to which these orders apply, the directions previously issued by the Commissioner of Rawalpindi in 1856 are cancelled.

3. Under the authority contained in the 5th of the Governor-General's rules, it is hereby declared that all village residents are entitled to wood for their agricultural and domestic purposes from the trees and shrubs of spontaneous growth produced by the waste lands of the villages in which they reside. Ordinarily no charge shall be made on account of this privilege; nor shall any permission be requisite prior to its exercise. But under special circumstances, for sufficient reason shown, the Deputy Commissioner may impose a fee, or require a written application, for the felling of timber.

4. Under the authority contained in the 7th of the Governor-General's rules, the partition or cultivation of uncultivated hill lands held in common, whether actually bearing timber and brushwood, or suited to such a purpose, is prohibited, except in cases in which the persons desiring the partition or cultivation can show that the operation will leave sufficient provision for the exercise of the privileges granted by the preceding rule.

5. Under the same authority, the sale of wood to military cantonments, to the Public Works Department, to charcoal and surkhi burners, and to contractors and railways is prohibited, except with the permission, in writing, of the Deputy Commissioner previously obtained. Such permission shall not be granted except, in special cases, where the proposed sales will not interfere with the due supply of the residents of the village and its vicinity. All other previous restrictions on the sale of wood are hereby removed. This rule does not prohibit the preparation of surkhi and charcoal by villagers for their reasonable wants.

6. Nothing in these orders shall be construed—

(1) as conferring privilege in demarcated rakhs;

(2) nor so as to affect cultivated trees;

(3) nor so as to warrant the cutting of timber and fuel for sale by persons who are not proprietors of the land on which it is cut;

(4) nor so as to restrict the Deputy Commissioner or Forest Officers in their management of Government rakhs.

7. Any person who may infringe any of the above rules shall be punished for each offence with a fine which may extend to rupees one hundred and in default of payment with imprisonment which may extend to three months.

SCHEDULE.

Serial No.	Name of village.	Serial No.	Name of village.
1	Malpur.	17	Kokina.
2	Jhang Bagial.	18	Ratta Hotar.
3	Mandla.	19	Nurpur Shahan.
4	Shahdera.	20	Gandian.
5	Mangial.	21	Dhok Saidu.
6	Suban.	22	Pind Gondal.
7	Phulgran.	23	Mohra Shah Wali Shah.
8	Sakrila.	24	Karmwal.
9	Kot Hathial.	25	Khuram Parachu.
10	Maira Beri.	26	Bal.
11	Saniari.	27	Khuram Gujar.
12	Sandhori.	28	Chokar.
13	Kalinjar.	29	Dhok Jandu.
14	Dhok Jiwan.	30	Sang Jani.
15	Saidpur.	31	Serai Kharbuza.
16	Dhalar.	32	Shah Allah Ditta.
		33	Seri Sarhal.

No. 80 (Forests), dated 24th January 1907.

COPY forwarded to the Junior Secretary to the Financial Commissioner, Punjab, for information, with reference to his letter No. 887, dated 30th November 1906.

No. 9 S., dated Simla, 21st May 1909.

From—E. R. ABBOTT, Esquire, Junior Secretary to the Financial Commissioner, Punjab,

To—The Secretary to Government, Punjab.

WITH reference to correspondence ending with Punjab Government endorsement No. 80, Forests, dated the 24th January 1907, regarding rules for the protection of trees on private lands in the Rawalpindi district outside the Murree and Kahuta tahsils, I am directed to forward a copy of a letter No. 284, dated 25th January 1909, and enclosures, from the Commissioner, Rawalpindi division, and to say that the Financial Commissioner agrees to the proposed amendment of rule 5 of the rules published in Punjab Government notification No. 79, dated the 24th January 1907. A draft notification is accordingly submitted for favour of publication.

2. The Conservator of Forests, who has been consulted, also agrees to the proposed amendment.

No. 284, dated 25th January 1909.

From—J. M. DOUIE, Esquire, C.S I., Commissioner, Rawalpindi Division,

To—The Junior Secretary to the Financial Commissioner, Punjab.

I HAVE the honour to submit for orders a copy of the correspondence noted on the margin* on the subject of the amendment of paragraph 5 of Punjab Government notification No. 79, dated 24th January 1907.

* Deputy Commissioner, Rawalpindi, to Assistant Conservator of Forests, No. 1091 G., dated 16th March 1908.
Paragraph 7 of Assistant Conservator of Forests, No. 94, dated 16th May 1908.
Paragraph 4 of Deputy Commissioner of Rawalpindi's No. 297 G. dated 10th July 1908.
Paragraph 3 of Commissioner's No. 2390, dated 7th September 1908.
Paragraph 3 of Deputy Commissioner of Rawalpindi's No. 8 G., dated 7th January 1909.

2. I have consulted Mr. Kitchin as the present notification was issued in consequence of proposals made by him as Settlement Officer. He has informed me that he has no objection to the suggested amendment of rule 5 as the old rule which was originally drafted by Colonel Wace is easily evaded. I recommend the proposal for sanction.

No. 1091 G., dated 16th March 1908.

From—The Deputy Commissioner, Rawalpindi,

To—The Assistant Conservator of Forests, Rawalpindi division.

WITH reference to your No. 748 G, dated the 13th January 1908, I have the honour to reply as follows :—

1. An examination of the records of the settlements of both 1885 and 1906 shows without doubt that guzara lands are the property of the village proprietary body. It is only trees and brushwood which are reserved as the property of Government.

2. The effect of notification No. 79, dated 24th January 1907, is in my opinion as follows :—

(a) All village *residents, whether proprietors or not,* are entitled to wood from the waste for their agricultural and domestic purposes, but with reference to clause 6 (3), this privilege does not allow sale by non-proprietors under any circumstances.

(b) Proprietors can sell wood to anyone (without Deputy Commissioner's permission) except to contractors, military cantonments, &c., as per clause 5.

3. The usual practice in the Rawalpindi tahsil, to certain villages in which notification No. 79, dated the 24th January 1907 refers, is that when a man proposes to sell wood anywhere which has been cut from land held by him in sole proprietorship, he cuts and sells without permis sion. Sometimes permission is applied for, but only in order that misunderstanding with subordinate officials may not arise.

In the case, however, of wood cut from lands owned in common by the village proprietary body it is customary to apply for permission in all cases ; though, as shown above since the applicants are owners of these lands, it is apparently legally necessary only where sale to cantonments, Public Works Department contractors, &c., is proposed.

4. It will be admitted, I presume, that unrestricted sale in these villages is undesirable. That much we may postulate from the existence of notification No. 79 of 24th January 1907. That being so, it seems to me that the only way of attaining the desired object is to amend the notification as suggested by the Conservator, which will have the effect of bringing the law into line with existing custom as described in the concluding portion of paragraph 3 above.

If this is not done, all that any villagers or body of villagers has to do is to arrange to sell to an intermediary who would pass on the bargain to the contractors, &c., against whose operations the rules are directed.

5. I am sending a copy of this correspondence to the Commissioner who will doubtless address the Conservator on the matter.

Extract paragraph 7 of a letter No. 94, dated the 16th May 1908, from the Assistant Conservator of Forests, Rawalpindi division, to the Conservator of Forests, Punjab, through the Deputy Commissioner, Rawalpindi.

* * * *

7. The notification which I would propose to have issued would be similar to notification No. 79, dated the 24th January 1907. The following alterations only should be made :—

(a) The notification would be issued under the authority of section 75 (c) of the Forest Act.

(b) In rule 1 the area to which the rules would apply would be those given in paragraph 6 of this letter.

(c) In rule 2 notification No. 79, dated the 24th January 1907, would be cancelled.

(d) Rule 3 would read " All village residents, &c."

(e) Rule 4 would read " The partition or cultivation of uncultivated lands held in common actually bearing timber and brushwood is prohibited, &c."

(f) Rule 5 would read " The sale or export of wood of spontaneous growth or of any substance prepared from or by the aid of such wood beyond the boundaries of the village in the waste land of which the wood has grown is prohibited except with the permission in writing of the Deputy Commissioner, &c.

(g) Rule 7 would be omitted as offenders would be punished under the Forest Act.

* * * *

Extract paragraph 4 of a letter No. 297 G dated 10th July 1908, from the Deputy Commissioner, Rawalpindi, to the Commissioner, Rawalpindi division.

* * * *

4. With Mr. Jerram's proposals as to rule 5, I am in agreement. An attempt was made in the old rule 5 to prevent what one may describe roughly as sale for commercial purposes. The rule is easily evaded by resorting to sale through an intermediary, and there is really no hardship whatever involved in forbidding sale beyond the boundaries of the village except with the Deputy Commissioner's sanction.

* * * *

Extract paragraph 3 of a letter No. 2390, dated 7th September 1908, from the Commissioner, Rawalpindi division, to the Deputy Commissioner, Rawalpindi.

* * * *

3. It only remains to consider whether rule 5 should be amended. I agree that the first sentence of rule 5 may reasonably be amended in the way proposed by Mr. Jerram. The 2nd and 4th sentences might stand as at present, but I think it would be well to cut out the 3rd sentence. I suggest that you now send up a proposal confined to the amendment of rule 5. A note by Mr. Jerram should accompany showing why he thinks rule 5 should be amended with reference to the circumstances of the 33 villages in the Rawalpindi tahsil to which notification No. 79, dated 24th January 1907 applies and any estates in the Attock district to which the notification may hereafter be extended.

Extract paragraph 3 of a letter No. 8 G, dated 7th January 1909, from the Deputy Commissioner, Rawalpindi, to the Commissioner, Rawalpindi division.

* * * *

3. For the reasons given in paragraph 4 of my No. 297, dated the 10th July 1908 and in paragraph 3 of your No. 2390, dated the 7th September 1908, I propose the following rule in substitution for rule 5 :—

" Under the same authority the sale or export of wood of spontaneous growth or of any substance prepared from or by the aid of such wood beyond the boundaries of the village in the waste land of which the wood has grown, is prohibited except with the permission in writing of the Deputy Commissioner previously obtained. Such permission shall not be granted except in special cases, where the proposed sales or exports will not interfere with the due supply of the residents of the village and its vicinity. This rule does not prohibit the preparation of surkhi and charcoal by villagers for their reasonable wants."

GAZETTE NOTIFICATION.

The 12th June 1909.

No. 343—*Notification.*—In exercise of the power conferred by the rules for the conservancy of forests and jungles in the hill districts of the Punjab territories, mentioned in the first schedule of the Punjab Laws Act, 1872 (IV of 1872), and in supersession of Punjab Government notification No. 79, dated the 24th January 1907, the Lieutenant-Governor of the Punjab is pleased to make the following rules :—

1. These rules apply to the waste and uncultivated areas within the boundaries of the villages in the tashil of Rawalpindi in the Rawalpindi district specified in the schedule hereunto annexed.

2. In respect to the tracts to which these orders apply, the directions previously issued by the Commissioner of Rawalpindi in 1856 are cancelled.

3. Under the authority contained in the 5th of the Governor-General's rules, it is hereby declared that all village residents are entitled to wood for their agricultural and domestic purposes from the trees and shrubs of spontaneous growth produced by the waste lands of the villages in which they reside. Ordinarily no charge shall be made on account of this privilege; nor shall any permission be requisite prior to its exercise. But under special circumstances, for sufficient reason shown, the Deputy Commissioner may impose a fee, or require a written application, for the felling of timber.

4. Under the authority contained in the 7th of the Governor-General's rules the partition or cultivation of uncultivated hill lands held in common, whether actually bearing timber and brushwood, or suited to such a purpose, is prohibited, except in cases in which the persons desiring the partition or cultivation can show that the operation will leave sufficient provision for the exercise of the privileges granted by the preceding rule.

5. Under the same authority the sale or export of wood of spontaneous growth grown in village waste land or of any substance prepared from or by the aid of such wood beyond the boundaries of the village in the waste land of which the wood has grown is prohibited except with the permission in writing of the Deputy Commissioner previously obtained. Such permission shall not be granted except in special cases where the proposed sales or exports will not interfere with the due supply of the residents of the village and its vicinity. This rule does not prohibit the preparation of surkhi and charcoal by villagers for their reasonable wants.

6. Nothing in these orders shall be construed—

(1) as conferring privilege in demarcated rakhs;

(2) nor so as to affect cultivated trees;

(3) nor so as to warrant the cutting of timber and fuel for sale by persons who are not proprietors of the land on which it is cut;

(4) nor so as to restrict the Deputy Commissioner or Forest Officers in their management of Government rakhs.

7. Any person who may infringe any of the above rules shall be punished for each offence with a fine which may extend to rupees one hundred and in default of payment with imprisonment which may extend to three months.

SCHEDULE.

Serial No.	Name of village.	Serial No.	Name of village.
1	Maipur.	18	Ratta Hotar.
2	Jhang Bagial.	19	Nurpur Shahan.
3	Mandla.	20	Gandian.
4	Shahdera.	21	Dhok Saidu.
5	Mangial.	22	Pind Gondal.
6	Soban.	23	Mohra Shah Wali Shah.
7	Phulgran.	24	Karmwal.
8	Sakrila.	25	Khuram Parachu.
9	Kot Hathial.	26	Bal.
10	Maira Beri.	27	Khuram Gujar.
11	Saniari.	28	Chokar.
12	Sandhori.	29	Dhok Jandu.
13	Kalinjar.	30	Sang Jani.
14	Dhok Jiwan.	31	Sarai Kharbuza.
15	Saidpur.	32	Shah Allah Ditta.
16	Dhalar.	33	Seri Sarhal.
17	Kokina.		

No. 344 (Forests), dated Lahore, 12th June 1909.

COPY forwarded to the Senior Secretary to the Financial Commissioner, Punjab, for information, with reference to his letter No. 9 S., dated 21st May 1909.

IV.—Protected Forests in the Murree and Kahuta Tahsils of the Rawalpindi District.

No. 231 S., dated Simla, 12th July 1909.

From—E. R. ABBOTT, Esquire, Senior Secretary to the Financial Commissioner, Punjab,

To—The Secretary to Government, Punjab.

I AM directed to invite the attention of Government to the rules notified in Punjab Government Notification No. 65, dated 17th February 1887.

2. A question has arisen whether the term "wood" in rules 4 and 5 includes standing as well as fallen trees. The Forest Department hold that under these rules the zamindars may cut standing brushwood and remove other fallen wood, except deodar and biar, without a license for their own use, and that they may take no other wood whatever or cut standing trees of any kind without a license: whereas the civil authorities maintain that they can fell standing trees of all kinds, except deodar and biar, without a license for the purposes mentioned in these rules.

3. A further contention has arisen as to the right of Government to sell dry standing trees and dry fallen wood for profit from these protected forests, the civil authorities holding that sale of this nature should not take place, whereas the Forest Department says that the Forest Officer has a right to sell any forest produce provided that a sufficient supply of the same is left for right-holders.

4. On a reference as to the intention of the rules, the Hon'ble Mr. Justice F. A. Robertson, now officiating Chief Judge of the Chief Court, Punjab, who as Settlement Officer was responsible for the present rules, has stated that for the particular purposes mentioned in rules 4 and 5 and for those only it was intended that standing trees should be taken "free of charge and without license." Further that under rule 3 it was not intended to give zamindars any right in *standing* dry trees; the right is restricted to *fallen* dry wood (except as provided in rules 4 and 5) which may be cut and removed at any time by right-holders. Rule 3 although it does not in express terms give an *exclusive* right to the zamindars to all fallen wood and brushwood, does clearly give them the right to take it without control or interference, and for the Forest Department to take it *might* be such an interference as would institute an infraction of the rule.

5. Mr. Robertson's explanation has been accepted by the Forest Department and the civil authorities, but to prevent unauthorised felling of standing trees it has been necessary to provide that sufficient information shall be given to the nearest Forest Officer. The consequent amendments of rules 4 and 5, which are given in heavy type in the enclosed draft notification, are agreed to by the Commissioner of Rawalpindi and the Conservator of Forests, Punjab. The addition of the chir to the excepted trees in rule 4 is justified on the ground that the chir is a tree which is seldom if ever used for agricultural purposes. If required, permission to fell chir can be obtained under rule 10. Under rule 5, however, chir trees may be felled for graves and cremation purposes without license.

6. In order to secure the zamindars from the possible infringement of their right, referred to by Mr. Justice Robertson, to take fallen wood and brushwood without control or interference, new rule 14 has been proposed which appears to the Financial Commissioner to safeguard that right in a sufficient manner. Although the zamindars are not entitled to cut standing dry trees except for agricultural purposes, it is obvious that if all the dry standing trees are sold there will be no fallen dry wood for the zamindars.

7. The other alterations in the rules are unimportant, and do not require detailed explanation.

8. I am to recommend therefore that the accompanying draft notification which has been drawn up by the Commissioner, Rawalpindi, and agreed to by the Conservator of Forests, may be published in the Gazette.

DRAFT NOTIFICATION.

The 1909.

No. .—*Notification.*—In exercise of the power conferred on him by section 31 of the Indian Forest Act, V of 1878, His Honour the Lieutenant-Governor, with the previous sanction of the Governor-General in Council, makes the following rules for the management of the protected forests of tahsils Murree and Kahuta in the Rawalpindi district.

2. The rules published in *Punjab Gazette* Notification No. 65, dated 17th February 1887, are hereby cancelled.

RULES UNDER SECTION 31 FOR THE MANAGEMENT OF DEMARCATED PROTECTED FORESTS IN TAHSILS MURREE AND KAHUTA.

A.—Cutting and removal of trees and timber; collection and removal of forest produce.

The following trees only shall be lopped for fodder of cattle owned by right-holders:—

Rhin (Quercus incana).

Barungi (Quercus dilatata).

Baren (Quercus annulata).

Dhaman (Grewia oppositifolia).

Such loppings shall in no case be taken higher than two-thirds of the total height of the trees lopped. But no tree shall be lopped which is less than 16 feet high.

2. Grass may be cut, stacked or removed at any time during the year for the personal use of the right-holders.

3. Fallen dry wood and brushwood may be cut and removed by right-holders at any time: but no "reserved" trees, however young, may be cut **except as provided in rules 4 and 5.**

4. **Standing trees and wood** of any kind, except deodar, *Pinus excelsa* (biar) **and Pinus longifolia (chir)** may be taken by any right-holder, as required for **his own** agricultural implements free of charge. **No license need be applied for, but information must be given to the village headman before or within 24 hours of felling a tree. The headman shall within 24 hours of receiving the information report to the nearest forest officer.**

5. **Standing trees and** wood of any kind except deodar and *Pinus excelsa* (biar) may be taken by all persons free of charge and without license for graves and for the cremation of dead bodies. **No license need be applied for, but information must be given to the village headman within 24 hours of felling a tree under this rule. The headman shall within 24 hours of receiving the information report to the nearest forest office.**

B.—Granting of licenses to adjacent inhabitants for their own use, and the production and return of licenses.

6. **Otherwise than as provided in rules 4 and 5** no trees shall be cut except on a license granted by the Forest Ranger, Deputy Conservator of Forests or Deputy Commissioner. And a license to cut trees shall not authorize the cutting of any trees not already marked for this purpose.

7. A sufficient number of trees for the probable requirements of right-holders shall be marked by the Forest Rangers for felling every year, in the Kahuta tahsil in December and January, and in the Murree tahsil in March, April and May.

8. Applications for licenses to cut timber shall ordinarily be made to the Forest Ranger during the same months; but in cases of urgency may be made at any other time.

9. In all cases in which the Forest Ranger refuses to grant a license to the applicant a further application may be made to the Deputy Conservator of Forests or to the Deputy Commissioner.

10. In granting licenses to the right-holders, the Deputy Commissioner and forest officers shall have regard to the following considerations:—

(*i*) Licenses shall be limited to the actual requirements of the right-holder for his own dwelling house and cattle sheds, the house and shed being reckoned according to those now ordinarily in use among the right-holders. The license shall not ordinarily give leave to fell more than 3 chir trees

(or where chir trees are not avaliable, biar trees) with a proportionate quantity of small timber, nor be granted to any one right-holder **except in the case of trees required for agricultural implements oftener than one in five years.**

(*ii*) Licenses shall ordinarily be granted to a right-holder in the forest in which he has rights.

(*iii*) Applications for license to cut a larger number of trees or for the grant of trees at shorter intervals than five years, or in a forest other than that in which the applicant has rights, shall be referred to the Deputy Conservator of Forests, who will pass such orders on each case as will suffice to meet the reasonable requirements and conveniences of the applicant as defined in the first sentence of clause I of this rule.

Period at which trees granted must be cut and removed.

11. Trees granted by the Forest Ranger during his annual tour in March April or May must be cut and removed—

in Murree before the end of July }
in Kahuta before the end of April } next after the granting of the trees.

Trees granted on special application at other times shall be cut and removed within three months of the grant if the trees have been already marked or otherwise within three months of the marking of the trees.

In case the trees granted have not been cut and removed within the period fixed by the license as above, the license shall lapse unless renewed by the Forest Ranger.

Permits how to be returned.

12. All licenses granting permission to applicants to cut trees must be returned to the village lambardar within one month of the expiry of the period within which they were ordered to be cut and removed, and the lambardar shall deliver them to the Ranger on demand.

C.—Granting of licenses to fell and remove timber and forest produce for trade.

13. The granting of licenses to fell and remove trees, timber and other forest produce for trade, the production and return of such licenses, the payments to be made in respect thereof, the place where such payment shall be made and the examination of produce covered by such licenses before it leaves the forest, shall be at the discretion of the Deputy Conservator of Forests acting under the control of Deputy Commissioner. Such licenses shall not be so granted as to interfere with the due supply of the right-holders.

14. The Divisional Forest Officer shall not issue licenses to remove dry standing trees in the brushwood and hardwood forests more than once in five years, and shall then leave sufficient dry standing trees to provide for the requirements of right-holders in dry fallen wood during the ensuing five years.

D.—Payments for produce cut and removed for personal use.

15. For every license to cut trees granted to a right-holder under rule 10 there shall be payable before it is made over to the applicant a fee of one rupee. A similar fee shall be payable on renewal under rule 11.

G.—Clearings for cultivation or other purposes.

16. Right-holders in any demarcated protected forests shall only be allowed to break up and cultivate forest land within such forest after the Commissioner of the division shall have notified that permission to break up land within such forests may be granted, and the clearance of forest land for such purposes shall be permitted only subject to the following rules.

17. Any person owning land in a village adjacent to a protected forest in which he has rights may apply to the Deputy Conservator of Forests for permission to cultivate land in that forest. The application shall be accompanied by a copy of the applicants' parcha of ownership, and shall contain the following particulars :—

(1) The name, parentage and residence of petitioner.

(2) The land owned by the petitioner.

(3) The revenue paid by him.

(4) The extent of the uncultivated waste of the village or villages in which he is a sharer and in respect of which he holds rights in the forest in question.

(5) His reasons for desiring to break up land within the forest in question.

(6) The date and amount of any prior grant to him of the same nature in the same or other demarcated protected forest.

18. The Deputy Conservator of Forests may at once reject the application or may cause the land to be demarcated and measured by the village patwari, and after such enquiry as may be necessary may authorise the cultivation.

19. An appeal from an order of the Deputy Conservator of Forests refusing permission to clear land for cultivation shall lie to the Deputy Commissioner, whose order shall be final.

I.—Pasturing of cattle.

20. No camels, sheep or goats shall be pastured in protected forests; other animals *bonâ fide* the property of right-holders may be pastured in the forests over which their owners have rights.

J.—Hunting and shooting.

21. The shooting of birds is prohibited from 16th March to 15th September (Chetar to Bhadun, inclusive).

No call birds, nets or snares shall be used.

L.—Exercise of rights.

22. There are no restrictions on passage and on access to water in the protected forest.

No. 155 S. (Forests), dated Simla, 11th August 1909.

From—H. P. Tollinton, Esquire, Offg. Secretary to Government, Punjab,

To—The Secretary to the Government of India, Revenue and Agricultural Department.

I am directed to refer to Punjab Government letter No. 67, dated 17th February 1887, forwarding copies of Punjab Government notification No. 65 of the same date containing rules for the management of protected forests in the Murree and Kahuta tahsils of the Rawalpindi district. The Financial Commissioner has now proposed certain amendments in these rules, and I am to forward a copy of his Senior Secretary's letter No. 231, dated 12th July 1909, with a draft notificatien embodying the amendments proposed. The Lieutenant-Governor concurs in the proposals of the Financial Commissioner, and I am to ask that the sanction of the Government of India may be given to the issue of the enclosed draft notification.

No. 1556 S. (Forests).

Copy forwarded to the Senior Secretary to the Financial Commissioner, Punjab, for the information of the Financial Commissioner, with reference to his letter No. 231 S., dated the 12th July 1909.

No. 1340 F.—261-2, dated Calcutta, 17th December 1909.

From—R. W. Carlyle, Esquire, C.I.E., I.C.S., Secretary to the Government of India, Department of Revenue and Agriculture,

To—The Chief Secretary to Government, Punjab.

In reply to Mr. Tollinton's letter No. 1555 S. (Forests), dated the 11th August 1909, and subsequent reminder No. 1191, dated the 1st December 1909, I am directed to say that, subject to the following remarks, the Government of India have no objection to the amended rules which it is proposed to issue under section 31 of the Indian Forests Act, 1878 (VII of 1878), for the management of the protected forests in the Murree and Kahuta tahsils of the Rawalpindi district.

2. In rule 4, as amended, it is made clear that standing trees (except certain reserved species) may be taken without a license for agricultural implements, a report being made within 48 hours to the nearest forest officer. The Government of India are advised that protection will be rendered difficult in case of all but the reserved trees, and there are no precautions against waste. It will be open to each right-holder to cut down a big tree, use a little of it for a plough, for instance, and leave the rest. Further, there will be no means of knowing who has cut any particular tree or of insisting that unnecessary waste is not caused. Moreover, the indiscriminate felling of green trees, which this rule as it stands allows, may lead to the deterioration or even disappearance of the trees most used for agricultural implements, and the Government of India consider that something further is desirable.

3. I am to forward a revised draft * of rule 4 and also of rule 10 (*i*), regarding the grant of licenses for trees for agricultural implements, and to say that it is left to the Lieutenant-Governor to decide whether the alteration made is in accordance with the settlement or any understanding come to with the villagers and is otherwise advisable If so, the Governor-General in Council sanctions the publication of the rules, as now drafted, under section 77 of the Indian Forest Act, but if the revised rules would be in conflict with the settlement or any understanding come to with the villagers, the rules may issue as proposed by the Lieutenant-Governor.

* Pro. No. 2 *infra*.

4. I am to add that if the rules are accepted as revised, it will be necessary, if no charge is to be made for licenses or for the renewal of licenses to cut wood for agricultural implements, to alter rule 15 also, by adding after the word "trees" in the first line "excepting in the case of a license to cut trees for agricultural implements," and after the word "renewal" in the third line, the words "excepting in the case of the renewal of a license to cut trees for agricultural implements."

Extracts of draft rules 4 and 10 (*i*).

4. Dead standing trees or dead wood of any kind, except deodar, *pinus excelsa* (biar) and *pinus longifolia* (chir) may be taken by any right-holder, as required for his own agricultural implements, free of charge and without a license.

10. In granting licenses to the right-holders, the Deputy Commissioner and forest officers shall have regard to the following considerations :—

(*i*) Licenses for agricultural implements shall be limited to the actual requirements of the right-holder for his own use. Licenses for building timber shall be limited to the actual requirements of the right-holder for his own dwelling house and cattle sheds, the house and shed being reckoned according to those now ordinarily in use among the right-holders. The license shall not ordinarily give leave to fell more than three chir trees (or where chir trees are not available, biar trees) with a proportionate quantity of small timber, nor shall any license be granted to any one right-holder, except in the case of trees required for agricultural implements, for his own use, oftener than once in five years.

Endorsement by the Punjab Government on No. 1340 F.—261-2, dated 17th December 1909, from the Government of India, Revenue and Agricultural Department.

No. 26 (Forests), dated Lahore, 13th January 1910.

Copy forwarded to the Senior Secretary to the Financial Commissioner, Punjab, in continuation of Punjab Government endorsement No. 1556 S., dated the 11th August 1909, for favour of report as to the advisability of adopting the proposed amendments suggested by the Government of India.

No. 314, dated Lahore, 6th May 1910.

From—E. R. Abbott, Esquire, Senior Secretary to the Financial Commissioner, Punjab,

To—The Secretary to Government, Punjab.

In reply to your endorsement No. 26 (Forests), dated 13th January 1910, I am directed to forward a copy of the letters noted in margin, and to say that the Financial Commissioner does not think that, in view of the conditions of the forest settlement and of the practical considerations stated by Mr. Kitchin, the draft of rule 4 suggested by the Government of India should be accepted. He does not object to the addition to rule 4 proposed by Mr. Jerram. As regards rule 10, Mr. Douie accepts the Conservator's proposals.

Conservator of Forests' letter No. 7288, dated 21st February 1910.
Deputy Commissioner, Rawalpindi's letter No. 142 G., dated 30th March 1910.

No. 7288, dated 21st February 1910.

From—C. P. Fisher, Esquire, Conservator of Forests, Punjab,

To—The Senior Secretary to the Financial Commissioner, Punjab.

With reference to your endorsement No. 428, dated the 27th January 1910, in which I am asked for my opinion on the Government of India's proposed amendment to rule 4, I have the honour to say that there is no doubt the Government of India is correct

in saying that the rule as submitted by the Punjab Government may lead to great waste; so much waste, indeed, as will endanger the future of some, if not all, of the forests. The Government of India's proposal would prevent this, but it is likely that in some forests at all events there would not be dead trees sufficient to meet the right-holders' requirements. Moreover, the Forest Settlement Report has to be considered, and the Punjab Government's rule is in accordance with that, whereas the Government of India's rule is not. My view of the case was that the rule should be allowed to stand until the Forest Department was in a position to show that its operation was actually causing the destruction of the forests, when of course the settlement could be altered.

2. There are obvious disadvantages in following this course, however, and unless His Honour is prepared to accept the Government of India's draft and thus to alter the Forest Settlement Officer's finding at once, I suggest that the following compromise proposed by Mr. Jerram, Assistant Conservator of Forests, almost entirely as it stands, be now adopted. This is to add the following to rule 4 as it now is in the Punjab Government's draft:—"Should the Divisional Forest Officer consider that in any forest any species is being felled in such a manner as to endanger either the continuous exercise of the right or the continued existence of any species in any part of the forest, he may, with the sanction of the Deputy Commissioner, restrict the number of trees of that species to be felled in the forest in question and direct that licenses shall be obtained for felling any trees belonging to it." To give effect to this would be to embody in the rules the accepted fact that "a right cannot be exercised to the destruction of the object over which it is exercised." I think there can be no objection to this procedure, and recommend its adoption.

3. Mr. Jerram has pointed out that the draft rules do not provide for the fact that deodar, blue pine and chil trees may be felled for agricultural implements on license, but without charge. This being the case the following changes are required in the draft rules:—

(a) *Rule* 10 (*i*).—After "his own," in the second line, "agricultural implements," should be inserted.

(b) *Rule* 10 (*iii*).—The rule should read "except in the case of chil trees required for agricultural implements, applications for license, &c., &c."

4. Throughout the rules the words "Divisional Forest Officer" should be substituted for "Deputy Conservator of Forests" or "Forest Officer." The first is the local Forest Officer's correct title.

No. 142 G., dated 30th March 1910.

From—A. J. W. Kitchin, Esquire, Deputy Commissioner, Rawalpindi,

To—The Commissioner, Rawalpindi division.

Your endorsement No. 1153, dated 16th March 1910, forwarding for opinion the new draft rules for the management of protected forests.

The proposals of the Government of India to allow only dead standing trees to be cut for agricultural implements is not enough. Dead wood is of no use for ploughs and such like. The apprehension that the new rules may be abused is very reasonable. In some cases they will surely be abused, but they are in accordance with the provisions of forest settlement and should not, I think, be lightly thrown aside without even a trial and an attempt to work them. I agree throughout with the proposals of the Conservator of Forests as contained in his letter No. 7288, dated 21st February 1910. Less than this ought not to be given. More I hesitate to ask for. The suggestions that the local officers should retain some measure of control is quite reasonable.

No. 1777 S. (Forests), dated Simla, 13th August 1910.

From—The Hon'ble R. Humphreys, I.C.S., Secretary to Government, Punjab,

To—The Secretary to the Government of India, Department of Revenue and Agriculture.

I am directed to refer to the correspondence ending with Mr. Carlyle's letter No. 1340 F.—261-2, dated 17th December 1909, on the subject of the amendment of the rules for the management of protected forests in the Murree and Kahuta tahsils in the Rawalpindi district. With that letter the Government of India forwarded a revised draft of rules 4 and 10 (*i*) for the consideration of the Lieutenant-Governor, but added that if these rules conflicted with the terms of the forest settlement or with any understanding come to with the villagers, the rules submitted with Mr. Tollinton's letter No. 1555 S., dated 11th August 1909, might issue.

2. In reply, I am to say that the revised rules proposed by the Government of India conflict with the terms of the forest settlement, which definitely

admits the right to cut green standing trees. The Lieutenant-Governor agrees, however, that rule 4 as originally drafted is liable to lead to waste, and I am to propose the following addition:—

"Should the Divisional Forest Officer consider that in any forest any species is being felled in such a manner as to endanger either the continuous exercise of the right or the continued existence of any species in any part of the forest, he may, with the sanction of the Deputy Commissioner, restrict the number of trees of that species to be felled in the forest in question and direct that licenses shall be obtained for felling any trees belonging to it."

3. I am to add that the draft rules did not provide for the fact that chir trees may be felled for agricultural implements on license, but without charge. This entails certain amendments in draft rules 4, 10 (*iii*) and 15. The Conservator of Forests further suggests a slight alteration in the wording of rule 14. As the rule now stands, licenses can only be given to remove dry standing trees in one forest during a period of five years. The intention is that once in five years each forest may be cleared of dry standing trees not required for the use of right-holders. Finally, a slight addition has been made to rule 10 (*i*) and the term 'Divisional Forest Officer' has been substituted for 'Deputy Conservator of Forests' throughout. A revised draft notification giving effect to these changes is submitted, and I am to ask that the sanction of the Government of India may be given to the issue of the rules in their amended form. The various additions to the draft submitted with Mr. Tollinton's letter referred to above are shown in antique type in the present draft.

No. 1060 F.—227-2, dated Simla, 8th September 1910.

From—H. B. Holme, Esquire, I.C.S., Under-Secretary to the Government of India, Department of Revenue and Agriculture,

To—The Chief Secretary to Government, Punjab.

In reply to the Hon'ble Mr. Humphreys' letter No. 1777 S., (Forests), dated the 13th ultimo, I am directed to say that the Governor-General in Council approves of the amended rules, which it is proposed to issue under section 31 of the India Forest Act, 1878 (VII of 1878), for the management of protected forests in the Murree and Kahuta tahsils of the Rawalpindi district, Punjab, and sanctions their publication under section 77 of the Act.

Gazette notification.

The 30th September 1910.

No. 551.—*Notification.*—In exercise of the power conferred on him by section 31 of the Indian Forest Act, VII of 1878, His Honour the Lieutenant-Governor, with the previous sanction of the Governor-General in Council, makes the following rules for the management of the protected forests of tahsils Murree and Kahuta in the Rawalpindi district.

2. The rules published in *Punjab Gazette* notification No. 65, dated 17th February 1887, are hereby cancelled:—

Rules under section 31 for the management of demarcated protected forests in tahsils Murree and Kahuta.

A.—Cutting and removal of trees and timber; collection and removal of forest produce.

The following trees only shall be lopped for fodder of cattle owned by right-holders:—

Rhin (Quercus incana).
Barungi (Quercus dilatata).
Baren (Quercus annulata).
Dhaman (Grewia oppositifolia).

Such loppings shall in no case be taken higher than two-thirds of the total height of the trees lopped. But no tree shall be lopped which is less than 16 feet high.

2. Grass may be cut, stacked or removed at any time during the year for the personal use of the right-holders.

3. Fallen dry wood and brushwood may be cut and removed by right-holders at any time; but no "reserved" trees, however young, may be cut except as provided in rules 4 and 5.

4. Standing trees and wood of any kind, except deodar, *pinus excelsa* (biar) and *pinus longifolia* (chir), may be taken by any right-holder, as required for his own agricultural implemetns, free of charge. No license need be applied for, but information must be given to the village headman before or within 24 hours of felling a tree. The headman shall within 24 hours of receiving the information report to the nearest forest officer.

Should the Divisional Forest Officer consider that in any forest any species is being felled in such a manner as to endanger either the continuous exercise of the right or the continued existence of any species in any part of the forest, he may, with the sanction of the Deputy Commissioner, restrict the number of trees of that species to be felled in the forest in question and direct that licenses shall be obtained for felling any trees belonging to it.

Chir trees may be taken free of charge for agricultural implements under the licenses provided for in rules 6 to 10 inclusive.

5. Standing trees and wood of any kind except deodar and *pinus excelsa* (biar) may be taken by all persons free of charge and without license, for graves and for the cremation of dead bodies. No license need be applied for, but information must be given to the village headman within 24 hours of felling a tree under this rule. The headman shall within 24 hours of receiving the information report to the nearest forest officer.

B.—Granting of licenses to adjacent inhabitants for their own use, and the production and return of licenses.

6. Otherwise than as provided in rules 4 and 5 no trees shall be cut except on a license granted by the Forest Ranger, Divisional Forest Officer or Deputy Commissioner. And a license to cut trees shall not authorise the cutting of any trees not already marked for this purpose.

7. A sufficient number of trees for the probable requirements of right-holders shall be marked by the Forest Rangers for felling every year, in the Kahuta tahsil in December and January, and in the Murree tahsil in March, April and May.

8. Application for licenses to cut timber shall ordinarily be made to the Forest Ranger during the same months ; but in cases of urgency may be made at any other time.

9. In all cases in which the Forest Ranger refuses to grant a license to the applicant a further application may be made to the Divisional Forest Officer or to the Deputy Commissioner.

10. In granting licenses to the right-holders, the Deputy Commissioner and forest officers shall have regard to the following considerations :—

(*i*) Licenses shall be limited to the actual requirements of the right-holder for his own agricultural instruments, dwelling house and cattle sheds, the house and shed being reckoned according to those now ordinarily in use among the right-holders. The license shall not ordinarily give leave to fell more than 3 chir trees (or where chir trees are not available, biar trees) with a proportionate quantity of small timber, nor be granted to any one right-holder except in the case of trees required for agricultural implements oftener than once in five years.

(*ii*) Licenses shall ordinarily be granted to a right-holder in the forest in which he has rights.

(*iii*) Except in the case of chir trees required for agricultural implements applications for license to cut a larger number of trees or for the grant of trees at shorter intervals than five years, or in a forest other than that in which the applicant has rights, shall be referred to the Divisional Forest Officer, who will pass such orders on each case as will suffice to meet the reasonable requirements and convenience of the applicant as defined in the first sentence of clause 1 of this rule.

Period at which trees granted must be cut and removed.

11. Trees granted by the Forest Ranger during his annual tour in March, April or May must be cut and removed—

in Murree before the end of July } next after the granting of the trees.
in Kahuta before the end of April }

Trees granted on special application at other times shall be cut and removed within three months of the grant if the trees have been already marked or otherwise within three months of the marking of the trees.

In case the trees granted have not been cut and removed within the period fixed by the license as above, the license shall lapse unless renewed by the Forest Ranger.

Permits how to be returned.

12. All licenses granting permission to applicants to cut trees must be returned to the village lambardar within one month of the expiry of the period within which they were ordered to be cut and removed, and the lambardar shall deliver them to the Ranger on demand.

C.—Granting of licenses to fell and remove timber and forest produce for trade.

13. The granting of licenses to fell and remove trees, timber and other forest produce for trade, the production and return of such licenses, the payments to be made in respect thereof, the place where such payment shall be made and the examination of produce covered by such licenses before it leaves the forest, shall be at the discretion of the Divisional Forest Officer acting under the control of the Deputy Commissioner. Such licenses shall not be so granted as to interfere with the due supply of the right-holders.

14. The Divisional Forest Officer shall not issue licenses to remove dry standing trees in any one brushwood and hardwood forest more than once in five years and shall then leave sufficient dry standing trees to provide for the requirements of right-holders in dry fallen wood during the ensuing five years.

D.—Payments for produce cut and removed for personal use.

15. For every license to cut trees granted to a right-holder under rule 10 there shall be payable before it is made over to the applicant a fee of one rupee. A similar fee shall be payable on renewal under rule 11. No fees shall be charged for licenses granted to a right-holder for chir trees required for agricultural implements.

E.—Clearings for cultivation or other purposes.

16. Right-holders in any demarcated protected forests shall only be allowed to break up and cultivate forest land within such forests after the Commissioner of the division shall have notified that permission to break up land within such forests may be granted, and the clearance of forest land for such purposes shall be permitted only subject to the following rules.

17. Any person owning land in a village adjacent to a protected forest in which he has rights may apply to the Divisional Forest Officer for permission to cultivate land in that forest. The application shall be accompanied by a copy of the applicant's parcha of ownership, and shall contain the following particulars:—

(1) The name, parentage and residence of the petitioner.

(2) The land owned by the petitioner.

(3) The revenue paid by him.

(4) The extent of the uncultivated waste of the village or villages in which he is a sharer and in respect of which he holds rights in the forest in question.

(5) His reasons for desiring to break up land within the forest in question.

(6) The date and amount of any prior grant to him of the same nature in the same or other demarcated protected forest.

18. The Divisional Forest Officer may at once reject the application or may cause the land to be demarcated and measured by the village patwari, and after such enquiry as may be necessary may authorise the cultivation.

19. An appeal from an order of the Divisional Forest Officer refusing permission to clear land for cultivation shall lie to the Deputy Commissioner, whose order shall be final.

F.—Pasturing of cattle.

20. No camels, sheep or goats shall be pastured in protected forests; other animals *bonâ fide* the property of right-holders may be pastured in the forests over which their owners have rights.

G.—Hunting and shooting.

21. The shooting of birds is prohibited from 16th March to 15th September (Chetar to Bhadun, inclusive).

No call birds, nets or snares shall be used.

H.—Exercise of rights.

22. There are no restrictions on passage through and on access to water in the protected forests.

No. 552 (Forests), dated 30th September 1910.

Copy forwarded to the Senior Secretary to the Financial Commissioner, Punjab, for information, with reference to his letter No. 314, dated the 6th May 1910.

V.—Murree-Kahuta Guzaras.

No. 336, dated Lahore, 8th April 1901.

From—M. S. D Butler, Esquire, Junior Secretary to the Financial Commissioner, Punjab,

To—The Revenue and Financial Secretary to Government, Punjab.

Under cover of your letter No. 182 dated 17th April 1899 you forwarded some petitions from certain residents in the Murree and Kahuta Tahsils of the Rawalpindi District, and asked that a report should be submitted as to the working of the forest rules contained in Notification No. 335, dated 24th September 1889. In reply, I am directed to return the petitions, and to forward the marginally-noted correspondence with the following remarks.

Commissioner, Rawalpindi's No. 1472, dated 17th May 1899, and enclosures.
Financial Commissioner's No. 4111, dated 1st July 1899.
Legal Remembrancer's No. 952, dated 19th July 1899.
Financial Commissioner's No. 4810, dated 8th August 1899.
Legal Remembrancer's No. 1191, dated 25th August 1899.
Note by Commissioner, dated 17th September 1899.
Financial Commissioner's No. 6730, dated 1st November 1899.
Commissioner's No. 2556, dated 29th June 1900, and enclosures.
Commissioner's No. 106, dated 7th September 1900, and enclosures.

2. The early history of the Murree and Kahuta forests and waste lands has been clearly given in Chapter VIII, paragraph 322 of Mr. (now the Hon'ble Mr. Justice) Robertson's final report of the revised settlement of the Rawalpindi District. It is there noted that the rules, sometimes referred to as the rules of 1855, but more correctly known as the rules of 1856, distinctly assert the principle that all trees and shrubs of spontaneous growth are the property of Government, and it is said that from this principle no deviation had been made. In the course of the settlement it was arranged that certain areas should be reserved and others protected, and the necessary action was taken under the Forest Act VII of 1878. With these areas the present correspondence is in no way concerned. There remained, however, a debatable area of some 111,000 acres. After some discussion, in the course of which it was proposed that this area should be protected too, it was decided that the lands in question should be recorded as owned by the respective villages concerned, the trees upon them being recorded as owned by Government; and that forest conservancy should be secured not by protection, but by rules under Section 75 of the Forest Act. These orders were conveyed in Junior Secretary to Government's letters No. 218, dated 20th May 1886, and No, 333, dated 24th September 1889. The rules under Section 75 were duly notified by Notification No. 335, dated 24th September 1889; and it is as to the working of these rules that a report has been called for.

3. The debatable area above referred to was made up of 51,788 acres in the Murree and 59·345 acres in the Kahuta Tahsil. These areas known as the guzaras; and in the case of the guzaras the right of Government to the trees and brushwood of spontaneous growth has been definitely entered in the village records. Besides the guzaras there remained at the time of Mr. Robertson's settlement, as the calculation in the margin will show, 57,883 acres of waste in the Murree and 321 acres in the Kahuta Tahsil in which no rights have been specifically entered in the village records as owned by Government, but which have been shown as belonging to individuals or groups of individuals holding in common. These are the areas which are referred to in the correspondence as private lands, though that term in this technical sense has been purposely avoided in the notification now submitted as introducing an element of confusion.

Settlement Report, paragraph 334:—

			Acres.
Total area of Murree Tahsil ...			193,149
Cultivated area ...	29,783		
Reserved Forests ...	30,463		
Protected „ ...	23,232		
Village waste ...	51,788		
		135,266	
			57,883
Total area of Kahuta Tahsil ...			202,689
Cultivated area ...	87,843		
Reserved Forests ...	35,055		
Protected „ ...	20,125		
Village waste ...	59,345		
		202,368	
			321

4. It is by reason of these private lands that the necessity of reopening the question of these unclassed forests first arose. As explained above, the rules under Section 75 of the Forest Act as contained in Notification No. 335, dated 24th September 1889, applied only to the guzaras or village wastes. As a matter of fact, however, these rules were applied, and, at first without objection, to private lands too. In 1899, when Mr. Tupper was himself Commissioner of Rawalpindi, this irregularity was brought to light, and he was obliged to direct —*vide* his letter No. 1472, dated 17th May 1899—that it should cease, and pending the discussion of the general question he authorized the Deputy Commissioner to fall back on the provisions of the rules of 1856.

5. It was shortly before this stage of the proceedings and in the course of the investigations which the ventilation of the subject had necessitated that the petitions under report were presented to His Honor the Lieutenant-Governor, and it may be at once admitted that, as already reported by the Deputy Commissioner in his letter No. 287 G., dated 21st July 1898, the villagers had much to complain of not only in respect of their private lands, but also of their guzaras or village wastes, to which the rules under the notification referred to above legally and properly applied. The main cause of complaint was the great delay which used to occur by reason of paucity of staff in disposing of applications for permission to fell trees and in marking the timber after conversion.

6. It is therefore considered desirable to cancel the notification of 1889 and starting with a clean sheet, to lay down rules for the preservation of the timber and brushwood both in the guzaras or village wastes and in the private lands in both the tahsils.

7. Before, though, considering under what powers action should be taken it is necessary to remark on the position of Government towards the trees which are to be the subject of the proposed rules. The point is the more important as an element of confusion has been introduced into the correspondence now forwarded by the belief in which the Legal Remembrancer made his first draft notification, *viz.*, that it was necessary to frame rules for Government trees on Government lands without having resort to Chapters II, III or IV of Act VII of 1878. With respect to the guzaras or village wastes, the position is perfectly clear. The trees belong to Government and the land to the villagers, and consequently Section 75 of Act VII of 1878 must be brought into play. With regard to the trees on private lands, while it is clear that the lands belong to the villagers, it is not so clear that the title of Government to the trees is beyond dispute. The trees no doubt were specifically claimed for Government in the rules of 1856, and Government has never specifically given them up. At the same time, when the Forest Settlement was in progress they were not entered in the records as belonging to Government. It is not, though, in Mr. Tupper's opinion, at all necessary to decide whether these trees are Government property or not, and he would even go furher and say it would be a pity to unnecessarily raise the question. If the trees belong to Government, then their preservation may be secured, as in the case of the trees in the guzaras or village wastes, by rules under Section 75 of Act VII of 1878; whilst if they do not belong to Government, action can be taken—and Mr. Tupper assumes the necessity of action in any case—either under Section 35 of Act VII of 1878 or under the powers conferred by the Rules for the Conservancy of Forests and Jungles in the Hill Districts of the Punjab Territories, 1855. Section 35 of Act VII of 1878 is however, entirely unsuitable. Not only does its invocation expose Government to the claims which may arise under Section 37 of the Act, but, what is more important, it cannot be appealed to without at the same time admitting that the trees are not Government property, and the admission would be emphasised by the fact that before the section can be put into operation the Act requires that notice should be issued to the owners of the lands or forests affected, which is just what, in Mr. Tupper's opinion, it is desirable to avoid. The rules of 1855, however, do not raise any such difficulty. They may be applied equally to trees owned by Government and to trees owned by individuals, and they draw no distinction between lands which are the property of individuals and those which belong to Government. Mr. Tupper would therefore propose to take action under Section 75 of the Act and under the powers conferred by the rules of 1855

jointly, and in this way would avoid the decision of the question, which it is neither necessary nor desirable to bring into prominence, as to who owns the trees in dispute. It seems perfectly legitimate to use the rules of 1855 concurrently with the Forest Act in the present instance, because the object of applying the rules of 1855 is to safeguard the interests of the public by effectually preserving the trees on private lands without stirring up questions of title. The object, indeed, in preserving the trees on private lands is not to make money for Government, but to protect the people from their own reckless improvidence.

8. In the final draft notification submitted by the Commissioner of Rawalpindi, under cover of his letter No. 106, dated 7th September 1900, it is proposed to take action under Section 35 of the Act. It follows from what has been said above that Mr. Tupper would cut out all reference to Section 35. It is also proposed by the Commissioner to invoke the aid of Section 41 in order to find a sanction for Rule V of the subsidiary rules of procedure appended to the notification. This rule formed no part of the scheme as originally framed, and Mr. Tupper is afraid that the procedure which it sanctions is open to abuses, and in its present form at any rate he is not prepared to recommend its submission to the Government of India, as would be required under Section 77 of the Act. He would therefore omit Subsidiary Rule V, and with it, the reference to Section 41 in the preamble to the notification.

9. With regard to the body of the notification it will be observed that the proposals have passed through two distinct phases. It was at first contemplated that as regards private lands there should be practically no restriction on the cutting of trees for agricultural and domestic purposes, and that permits should only be taken out when it was desired to cut for sale. In the guzaras, or village wastes, on the other hand, it was proposed to prohibit sale entirely, and to allow cutting for agricultural and domestic purposes under a system of permits. This system was provisionally put into operation pending a fuller discussion of the subject. Experience, however, soon showed that the permission to cut without restrictions for agricultural or domestic purposes in private lands was being abused, and it was found necessary to insist generally on permits with this modification that in private lands permits would only be required in the case of certain definite kinds of trees to be expressly mentioned in the notification. This is the scheme now proposed by the Commissioner, and, subject to the objections noted below, it has the Financial Commissioner's approval.

10. In Rule 3 the Commissioner, following the Legal Remembrancer's draft, has distinguished between forest land, waste land and other land which is the common property of the land-owners, &c., and by the use of the word "or" has further distinguished a class of lands in which there is an entry in the register of holdings that all or any tree .... are the property of Government. As explained above, the only distinction to be drawn is that between lands as to which there is such an entry in the records and those in which there is not. It will save to confusion, therefore, if the clause be made to run "from any forest land, waste land or other land which .... and in respect of which, &c., &c."

11. The corrections in Rules 8 and 9 which have been made in italics in the printed copy of the Commissioner's draft notification, forwarded herewith, are in accordance with the views expressed by Mr. Tupper, as Commissioner, in paragraphs 13 and 14 of his note dated 17th September 1899, which forms an enclosure to this letter. There are also certain other small alterations, some of them verbal, to be made in the draft which have been similarly shown in italics and which require no further comment.

12. With regard to the addition which has been made in Rule 3 (6) by the Commissioner, prohibiting the breaking up of land for extending cultivation without a permit, I am to say that the Financial Commissioner is disposed to hold that, generally speaking, we should not raise any obstacle to the cultivation of waste lands except for climatic reasons. It will be observed, however, that the prohibition extends only to the guzaras or vill

clearly understood that, as stated by the Commissioner in paragraph 6 of his letter No. 2221, dated 7th June 1900, permission is to be freely given where there are no trees, or where the trees are few and the ground is sufficiently level to give hopes of good crops being raised, the restriction will, the Financial Commissioner thinks, neither be unfair nor irksome.

13. As to the alterations which have been made in the rules of procedure, the only one which requires comment, other than the omission of Rule V already explained, is the omission of Rule IV. Mr. Tupper thinks it would be quite impracticable to put fences round grazing areas, and certainly no power to close areas against grazing could be taken as a mere subsidiary rule of procedure. If Rule IV is wanted at all it should be inserted in the draft notification as Rule 9, Rules 9 and 10 being re-numbered. But Mr. Tupper has found nothing in the papers to justify the proposal to close, and he does not see any necessity for it.

14. With these remarks I am to recommend that the draft notification, as amended* by the Financial Commissioner, be accepted and published, and the rules of procedure, also as amended, be approved.

* Amendments shown in italics.

15. In conclusion, I am to ask for sanction to the employment of one Naib Tahsildar for Tahsil Murree for the whole year, and one extra Naib Tahsildar for Tahsil Kahuta for six months from October 1st to March 31st. Their cost will, it is expected, be more than met from the fees which it is proposed to collect in respect of the permits. The Financial Commissioner thinks it may be left to the Commissioner to determine the scale of fees to be adopted, and would only say that while the cost of the new establishment should be adequately met, there should be no desire to make income for Government from the present arrangements, and that if it is found practicable the fees for the grant of permits under Rule 6 (1) should be on a more lenient scale than for the grant of those under Rule 4 (1). Although Colonel Montgomery is not in favor of any fees, the Financial Commissioner thinks that provision for them should certainly be made. In the guzaras there is no question but that the trees are the property of Government ; and that being so, there seems no good reason why they should be given to the villagers for nothing. As to the trees on private lands, the levy of fees will serve to keep alive the claim of Government as owner of the trees. It is by no means desirable to relinquish that claim, though it would be unwise to invite dispute by parading it.

16. I am to add that the question of the entertainment of the two Girdawar Kanungos which was authorised by the Commissioner in anticipation of sanction in paragraph 11 of his letter No. 1472, dated the 17th May 1899, is being separately submitted. The sanction now asked for for the entertainment of two Naib Tahsildars is, I am to explain, intended to take effect from such date as the two Girdawar Kanungos come under reduction.

No. 1472, dated 17th May 1899.

From—The Hon'ble Mr. C. L. Tupper, C. S. I., Commissioner and Superintendent, Rawalpindi Division,

To—The Senior Secretary to the Financial Commissioner, Punjab.

Your office endorsement No. 2893, dated the 6th instant, forwards for report Punjab Government letter No. 183, dated 17th April last, together with a number of petitions from the Murree and Kahuta Tahsíls. The information required relates to the working of the *Guzara* Notification No. 335, dated September 24th, 1889.

2. In reply, I forward herewith in original Mr. Wilson's letter No. 287, dated 21st July last, together with a copy of Colonel Leigh's No. 147 G., dated 14th ultimo, and my reply thereto of this date.

3. It will be seen from these papers that the people have real grievances which ought to be redressed, and that it is proposed to cancel the notification.

4. I am much vexed at the delay which has occurred in the submission of Mr. Wilson's report. The circumstances are explained in the first paragraph of my letter to the Deputy Commissioner. The fault is not entirely mine, though of course I am responsible.

5. Mr. Wilson proposes to cancel (1) the rules of 1856, (2) Notification No. 335, dated 24th September 1889, and (3) Mr. Beckett's rules of 1894, and to substitute for the same the draft notification and the draft orders which are appended to his letter. I am not as yet quite fully informed as to the precise legal position of Mr. Beckett's rules, but I have quite enough information before me to enable me to support Mr. Wilson's proposals in their entirety, subject to some remarks which follow.

6. Mr. Wilson has gone into the case very thoroughly and set it in a very clear light. My only doubt is whether his proposals go far enough in the way of removing vexatious restrictions. Generally I am disposed to hold that we should not raise any obstacle to the cultivation of waste lands except for climatic reasons. But I am confident that Mr. Wilson's proposals are a movement tn the right direction, and I am not at present prepared to go beyond his well-considered recommendations.

7. In one small point I think his draft notification requires amendment. A definition of "land" seems to me to be required. I suggest the following:—

"For the purposes of this notification 'land' means waste land and land occupied or let for agricultural purposes, or for purposes subservient to agriculture, or for pasture."

This may be compared with the definition in Section 4 of the Tenancy Act. It would apply the rules to trees inside village sites and to unoccupied lands, which seems right.

8. The Financial Commissioner will observe that I have passed three orders in the case.

9. The direction that Mr. Beckett's rules shall no longer be applied to private lands seems to me to be within my own competence. Holding, as I do, with Mr. Wilson, that the Notification of 24th September 1889 gives us no power to deal with private lands, I must also hold, as of course, that rules supplementary to that notification, by whatever authority sanctioned, cannot so apply. I therefore feel justified in directing the local officers to abstain from an illegal course.

10. My second order putting in force Mr. Wilson's draft instructions Nos. 1 to 3 and Nos. 7 and 8 doubtless requires confirmation. But the reasons for it are fully explained in the papers; and I do not think the confirmation is a matter of urgency, I believe that what I have done will meet the pressing needs of the case, and that the proposed drafts may now be considered at leisure.

11. My third order, however, authorizing the Deputy Commissioner to entertain two Girdawars on Rs. 30 per mensem requires confirmation before the end of next month, in order to obviate objections on the part of the Accountant-General. I beg that this may be obtained without delay, the rest of the case being, if necessary, left for mature deliberation.

12. Under the present procedure, which in this respect it is proposed to maintain, when fellings are permitted the trees have in the first instance to be marked and subsequently the timber has to be branded after conversion. An official thus has to visit the spot twice over: and the resuliting delays are a great grievance which can be mitigated by the moderate increase of staff. I trust, therefore, that there will be no hesitation in confirming my action in this behalf.

13. In paragraph 8 of my letter No. 2291, dated 27th August last, on the subject of forest fires on the Murree and Kahuta Hills, I agreed with Colonel Montgomery that the rules of 1856 were probably no longer in force. I had not then seen Mr. Wilson's present letter nor Mr. Thorburn's order in the case of Haider *versus* the Empress.* Having considered these documents I have now found myself able to hold that the rules of 1856 are legally in force, and I have thus seen my way to putting in force, subject to confirmation, Rules 1 to 3 of Mr. Wilson's draft orders. As already implied, I agree with Mr. Wilson that when his draft notification can be issued, the rules of 1856 should be formally cancelled.

* Herewith enclosed in original.

14. The petitions received with your endorsement of the 6th instant are herewith returned.

No. 287, G., dated 21st July 1898.

From—J. Wilson, Esquire, Deputy Commissioner, Rawalpindi,

To—The Commissioner and Superintendent, Rawalpindi Division.

I have the honor to submit the following report on the subject of the cutting of trees and brushwood in the unclassed State forests in the Murree and Kahuta Tahsils of the Rawalpindi District.

Classification of land.

2. The trees and brushwood in those two tahsils may, for the purposes of this report be divided into the following four classes *viz.*, those in—

(1) Reserved forests, notified under Chapter II of the Forest Act.

(2) Protected forests, notified under Chapter IV of the Act.

(3) Unclassed State forests, forming the guzaras or common land of villages and tarafs.

(4) Lands owned by individuals, *i.e.*, not held in common by villages or tarafs.

The present report does not deal with reserved or protected forests, but with all lands outside those areas, *i.e.*, with the 3rd and 4th of the above-mentioned classes. The land comprised in those two classes has not been notified under Chapter II or IV of the Act, but is included in the ordinary way within the limits of the village map and entered in the Revenue Record of the estate to which it belongs, the entries, as regards the land itself being of the character common to most estates in the Punjab held under the *bhaiyachara* form of tenure, *i. e.*, the cultivated lands, generally, and portions of waste land, are entered as owned by individuals or groups of individuals holding jointly, and large tracts of uncultivated land are usually recorded as owned in common by the whole village or its larger sub-divisions (*shamilat deh* or *shamilat taraf* or *patti*). For the sake of convenience these different classes of land may be called "private lands" and "common lands" respectively.

Meaning of unclassed State Forests.

3. The last orders of the Punjab Government on the subject of the preservation of trees in the Murree and Kahuta Hills outside the reserved and protected forests will be found in letter No. 333, dated 24th September 1889, from the Junior Secretary to Government, Punjab, to the Junior Secretary to the Financial Commissioner, Punjab, and in Gazette Notification No. 335, dated the 24th September 1889, published under Section 75 of the Indian Forests Act, 1878. The notification applies only to "the unclassed State Forests of the Murree and Kahuta Tahsils," but it does not define what areas are included in the term "Unclassed State Forests," nor does the correspondence clearly show to what areas the term was meant to apply. In Mr. Robertson's Rawalpindi Settlement Report, paragraph 334, in which he gives the result of his forest settlement of Murree and Kahuta Hills, while he gives the total area of the Murree Tahsil as 193,149 acres, he gives the details as follows :—

	Acres.
Cultivated area	29,783
Reserved forests	30,463
Protected forests	23,232
Village waste	51,788
Total ...	135,066

This leaves unaccounted for 58,083 acres, which apparently was the uncultivated land owned by private individuals, but not included in "village waste." In the Settlement Records of estates in these hills, in the register of holdings (muntakhib) opposite land entered as common to an estate, or to a taraf or patti of an estate, and in some cases opposite entries of land common to a number of owners inside a taraf, there is the following entry :—

"In accordance with letter No. 4052, dated 10th June 1886, from the Senior Secretary to the Financial Commissioner, under sanction Government, all trees, large and small, that may grow on this holding will remain the property of Government, and rules regarding them will be published separately."

And in the Village Administration Paper the entry regarding the common land runs as follows :—

"In this area whatever trees, large or small, grow, will be the property of Government. This area will not be divided without the sanction of Government."

These entries were evidently made in accordance with the orders conveyed in paragraph 3 of letter No. 4052, dated 10th June 1886, from the Senior Secretary to the Financial Commissioner, which runs as follows :—

"In regard to the undemarcated forest land, included within village boundaries, Government has resolved to adopt the course recommended by the Financial Commissioner at pages 3-5 of the pamphlet entitled, 'Final Recommendation on the Murree-Kahuta Forest Settlement.' Under this plan the land will be recorded as owned by the various village bodies concerned, but the forest growth and trees growing thereon will be retained as State property. The Forest Settlement Record will be framed accordingly."

I think then that it may be held that the expression "Unclassed State Forests" in notification No. 335, dated 24th September 1889, applies to the lands entered in the Settlement Record as common lands of villages, tarafs or pattis and to other lands against which the Settlement Record shows the entry above quoted, but does not apply to ordinary privately-owned lands, although they may have trees standing on them.

4. While the ordinary cultivated area in these hills is practically entirely bare of trees, there are considerable areas of cultivated land on which a few trees have been left standing, and there are other areas of uncultivated land covered with trees of more or less value which are entered as owned by individuals or families, but not as common lands of a village or taraf, and against which no such entry appears in the Settlement Record as that above quoted. If my interpretation of the term "Unclassed State Forests" is correct, the notification above quoted does not apply to these private lands, and if we have any power to impose restrictions on the action of the villagers in cutting trees standing on these "Private Lands," it must be sought elsewhere.

Private lands.

5. The rules of 1855, sanctioned by letter from the Senior Secretary to the Government of India, No. 1789, dated 21st May 1855 and declared to be in force by Schedule I to the Punjab Laws Act (IV of 1872), contain the following clauses *:—

Rules of 1855 and 1856.

* Rattigan's Acts applicable to the Punjab, Volume II, page 1110.

"(4) Within the said hill districts the Civil authorities may proclaim publicly prohibition, restriction or regulation in regard to the felling or cutting or other injurious act, for any purpose whatsoever, of any species of trees, shrub or brushwood, wheresoever it may be found growing, of whatever size or growth, whether grouped together or scattered about, which they may consider specially suited for the production of timber or fuel.

"(6) No person shall be entitled to object to the foregoing rules, whether relating to enclosures or to particular species of tree, shrub or brushwood on the score of proprietary or manorial right, provided always that the Civil authorities do not interfere with the wood or fuel that may be really required by the occupants or owners of the land for agricultural or domestic purposes.

"(12) Any person, who may infringe any of the above rules for the conservancy of forest and jungle, may be fined at the discretion of the Civil authority to an amount not exceeding Rs. 100 for each offence."

Under the authority of those rules of 1855, certain rules, for the conservancy of trees and brushwood in the hilly and mountainous portion of the Rawalpindi District were submitted by the Commissioner, Jhelum Division, with his letter No. 123, dated 24th July 1856, and sanctioned by the Chief Commissioner in his No. 1623, dated 4th August 1856. These rules of 1856 contain the following clauses :—

"(1) In the mountainous and hilly portion of the Rawalpindi District all trees and shrubs of spontaneous growth are hereby declared to be the property of Government. They are available as far as they are really required by the villagers for domestic or agricultural purposes; but with this exception, may not be cut or appropriated by any person without the permission of the Civil authorities. This rule, however, is to be liberally construed as regards the comfort and convenience of the villagers.

"(2) Upon receipt of an application for timber trees, the District authorities are entitled to determine the quarter in which they may be cut, and are to demand a tax. On payment of the tax they are to depute an official to mark, in concert with the applicant, the very trees he is allowed to fell.

"(10) Any person, who shall infringe any of these rules, may be fined at the discretion of the Civil authorities to any amount not exceeding Rs. 100 for each offence."

6. These rules of 1855 and 1856 have never been abrogated, and must be held to be still in force. It is true that the Chief Court in Criminal Revision Judgment No. 1193 of 1892 (quoted in Forest Department Proceedings, December 1897, No. 31) held that the rules of 1855 are not themselves penal rules, but required to be supplemented by local rules, but it is to be presumed that the rules of 1856, above quoted, would satisfy the requirements of that judgment, and that a fine inflicted under Rule 10 for an infraction of Rule 1 would be held to be legal. It is also true that in letter No. 94, dated 6th March 1890, from the Junior Secretary to Government, to the Senior Secretary to the Financial Commissioner, on the subject of prevention of forest fires, it was stated that "the Lieutenant-Governor is unwilling to decide that the provisions of Rules 6, 7 and 10 of the Special Subsidiary Forest Rules of 1856, for the Rawalpindi District, are to be still worked, as regards the area of unclassed State forests in the Murree and Kahuta Tahsils, covered by notification No. 335 of 24th September last, until it can be shown that there is a practical necessity for this"; and that again it was stated in letter No. 316, dated 5th September 1891, paragraph 5, from the Revenue Secretary to Government, to the Senior Secretary to the Financial Commissioner, that as regards the Murree and Kahuta forests "Government has refused

Rules of 1856 still in force.

the Forest Act and the rules of 1855 can be treated as concurrently in force in the unclassed forests, and the letter of the Deputy Commissioner, No. 503 G., dated 30th March 1891, shows that the Magistrates now treat the rules of 1855 as not in force. That question must stand as it is at present." But it may be pointed out that the rules of 1855 having been declared to be in force by the Panjab Laws Act cannot be abrogated except by legislation, and that although it is apparently open to the Local Government to render those rules of 1855 of no effect by cancelling the local rules of 1856, it has never done so. As a purely legal question, therefore, I am of opinion that the rules of 1856 are still in force, and that if, in the Murree or Kahuta Hills, any person without the permission of the Civil authorities, cuts or appropriates, for any purpose other than domestic or agricultural purposes, any tree or shrub of spontaneous growth *even on his private land*, he renders himself liable to a fine of Rs. 100 under the local rules of 1856. This view was accepted by the Commissioner, Mr. Thorburn, in his order on appeal Haider Khan *versus* the Empress, decided 30th July 1897, in which he wrote: "I agree that the Rawalpindi Forest Rules, 1856, may be regarded as still in force and are followed, and that consequently no owner can cut down for purposes of sale any spontaneously produced trees on his private land, but that Collector is bound to let him remove trees for domestic uses or for the purposes of farming except in the case of *chils* and *biars* which should be lopped up to the height a man can reach on pony-back, say 10 or 12 feet from ground." However, hardly any prosecutions have taken place under the rules of 1856, because in practice the rules published with Notification No. 335, dated 24th September 1889, have been considered to apply to "Private Lands" as well as to common lands. This view is, as I have shown above, erroneous, as that notification applies only to "Unclassed State Forests," a term which cannot properly be held to apply to "Private Lands". If, therefore, we wish to restrict the cutting of trees on private lands we must proceed under the rules of 1856, which alone give us the power to impose restrictions as regards such lands.

Orders regarding unclassed State forests.

7. Before proceeding to discuss how far it is necessary to impose restrictions as regards trees on private lands, I will give an account of what has happened as regards "Unclassed State Forests" since the issue of Notification No. 335, dated 24th September 1889. I may here explain that in the vernacular the term "Unclassed State Forests" has been generally translated as "Guzara", a term taken to mean forest-land common to a village, taraf or patti, from which the villagers draw their supply of wood and grass, outside reserved and protected forests.

With his No. 22. G, dated 2nd January 1890, the Deputy Commissioner (Mr. Thorburn) forwarded to the Deputy Conservator of Forests, a copy of rules framed by him under Notification No. 335, dated 24th September 1889, as to guzaras and *shamilat dehs* in Tahsils Kahuta and Murree. A copy of those rules will be found in Appendix I. Then in 1893 the Deputy Conservator of Forests in his letter No. 197, dated 5th October 1893, brought to the notice of the Deputy Commissioner that owing to the laxity of the tahsil officials in the matter of granting permits, and the want of a proper system of check, the village waste lands were rapidly being denuded of vegetation, and after some discussion the Deputy Commissioner (Mr. Beckett) drew up revised rules under Notification No. 335, dated 24th September 1889, which he forwarded to the Deputy Conservator of Forests with his No. 1534 G., dated 18th July 1894. These rules, which will be found in Appendix II, are still in force, and a considerable number of prosecutions have been instituted under them. In one case, Empress *versus* Dadan, &c., decided on appeal by Sessions Judge on 26th August 1896, that officer, Mr. Parker, held that the supplementary rule forbidding a proprietor to cut timber without special permission from village waste (*guzara*) lands was legal, and therefore sustained the conviction of the accused, under Section 76 of Act VII of 1878, for having cut timber for charcoal from village waste without permission. It may, therefore, be held that the restrictions imposed by the subsidiary rules, published by the Deputy Commissioner are in the main enforceable in the Criminal Courts by prosecution under Section 76 of the Indian Forest Act, 1878.

Working of present rules.

8. The principal change introduced by Mr. Beckett's rules of 1894 was that a proprietor or resident of a village who needs timber for building or agricultural purposes is under them required to present an application in writing, setting forth the purposes for which the timber is required. The Tahsildar or Kanungo is then to visit the spot and satisfy himself that the timber is really required. If the permission is granted, the Tahsildar or Kanungo is to mark the trees to be felled, and after the trees have been sawn or shaped into beams, planks, &c., each of those beams and planks is to be marked again by the Tahsildar or Kanungo. This procedure entails at least two separate visits to the spot by the Tahsildar or Kanungo, and as both these officials have other important duties to perform, and the distances are often considerable, it leads in many cases to great delay, which is felt as a serious hardship by the people. Moreover, as the work of inspection and branding has generally to be left to the Kanungo, he has every opportunity to demand illegal gratification for his trouble, and frequent complaints are made against the Kanungo that he has refused to mark the trees and planks until he has been bribed. Possibly these complaints

are well founded, but even the most honest Kanungo, with his regular duties to attend to, could not satisfy the numerous applications for timber without great delay, which would lead to complaints, even if no bribes were demanded. If the present system of marking timber is to be maintained (as I think it should), it is absolutely necessary that the work should be entrusted to a specially-appointed official in each tahsil, whose pay could be met by charging fees under the authority given by the Notification No. 335, dated 24th September 1889 (at present no fees are charged). The reason why the Forest officials think it so important that first the trees and then the planks shall be stamped is that they find it impossible otherwise to make sure that only those trees are cut down for which permission has been obtained, and that the planks are used for the purpose for which the permission was granted and not sold to outsiders. The grievance has been made all the greater by extending (illegally, in my opinion) the provisions of these rules as to marking to privately owned lands, so that a man has not been allowed to cut down a tree standing in his own field for a purely domestic purpose without first getting the Tahsildar to sanction its being felled and getting the Kanungo to come twice to mark it. I believe the grievance to be a real one, and think that something should be done to remove the grave discontent it is causing.

Cutting of trees on private land.

9. In the first place, I do not think that it is, on the whole, good policy to impose such severe restrictions as are in practice imposed on the cutting of trees on privately-owned lands. As already said I hold that Notification No. 335, dated 24th September 1889, does not extend to such lands, but I do hold that under the rules of 1856, which are still in force, any person who, without the permission of the Civil authorities, cuts or appropriates, for any purpose other than domestic or agricultural purposes, any tree or shrub of spontaneous growth even on his privately-owned land, is punishable under those rules. I do not however, think that it is wise to keep up the present restrictions as regards privately-owned land, which go further than the rules of 1856, for at present a man dare not cut a tree standing on his own field even for domestic or agricultural purposes without first getting permisssion and having it stamped. What we are chiefly concerned in is to see that land-owners do not cut down trees *for sale* to contractors and others, and so long as they use the timber in their own villages no great harm is likely to be done. Moreover, I think it likely that if a man felt that the trees on his own land were his own to do what he liked with within his own estate, he would be much more likely to preserve them and to encourage the growth of young trees. At present a peasant feels that if he allows a tree to grow on or near his field, he will not be able to cut it down or even trim its branches without getting permission, which means trouble, if not expense, or running the risk of a criminal prosecution, so that he is apt to look on every such tree as a pure nuisance, and do all he can to get rid of it and prevent others from growing. In the plain districts of the Punjab, so far as my experience goes, the number of trees on privately owned lands (as distinguished from common lands) has greatly increased of late years and is increasing, because land-owners find that trees are a valuable property and are allowed to do what they like with them. and I believe that if the land-owners in the hills could feel sure that they would be allowed to make full and unrestricted use of the trees growing on their privately-owned lands, this would in the end, lead to their maintaining a larger number of trees on such lands. In reply to an enquiry on the subject, Mr. Robertson, who made the forest settlement of these hills, writes as follows :—

"I remember that it was my intention to allow *zamindars* to cut down trees growing on their own privately-owned land but it was intended, if possible, to prevent the *sale* of such wood. Moreover, I remember a great outcry in Murree Tahsil about the injury done to fields by the shade of trees growing on their boundaries, which the cultivators were not allowed to cut down, and I desired to remove this grievance, and no restriction on the removal of trees on privately-owned land was proposed by me. . . . ."

I do not think there is any power to prevent a man cutting trees in his own privately owned cultivation, and I did not mean to propose any.

Restrictions on sale.

10. I think then that as regards privately-owned land no restriction whatever should be imposed on the cutting of trees and brushwood except such as may be necessary to prevent sale or removal for purposes outside the village area. I think, however it is very important to impose restrictions on sale, for the present at all events, as otherwise many impecunious owners would be tempted by the high prices offered by contractors and others, and at once cut down all trees standing on their lands. I believe such restrictions on sale can legally and fairly be imposed, for Government in the rules of 1855 and 1856 asserted its right to all trees and shrubs of spontaneous growth in these hills, wheresoever they may be found growing, and those rules are still in force ; and as Section 75 (c) of the Indian Forest Act empowers the Local Government to make rules "for the preservation, reproduction, and disposal of trees and timber bolonging to Government, but grown on lands belonging to or in the occupation of private persons," there is nothing to prevent the Local Government from imposing restrictions, under this section as well as under the rules of 1855, on the sale of timber grown on privately-owned lands. This would require an amendment of Notification No. 335, dated 24th September 1889, which requires amendment for other reasons also, more especially as the wording is not clear.

Trees in unclassed State forests.

11. As regards trees growing in unclassed State forests, *i.e.*, village waste land or *guzaras*, it is reasonable that much severer restrictions should be imposed to prevent individuals from appropriating too large a share of the timber which is reserved for the use of the whole village community, and I cannot imagine a case in which it would be advisable to allow *sale* of the produce of any such common land. No individual should be allowed to appropriate any such produce without special permission in writing of some authority, but the trouble and expense of obtaining this permission should be made as little as possible. I agree with the Forest Officers that the cutting of timber from common lands cannot be kept under proper control without some system of marking, but it is impossible for the Kanungo to do the marking of timber in addition to his other duties, and I strongly recommend that sanction be given to the appointment of a special official in each of the two tahsils of Murree and Kahuta to carry out this work under the orders of the Tahsildar. He might be called "Village Forest Girdawar" (Girdawar Guzarejat), and the pay of the post should be Rs. 30 per mensem. The cost would certainly be more than covered by the fees I am about to propose, which the people would gladly pay in order to avoid the great delay which takes place under the present system.

Draft notification proposed.

12. I give in Appendix III a draft notification, which I recommend should be substituted for Notification No. 335, dated 24th September 1889. I have embodied in it all that seems necessary of the rules of 1856, and recommend that the opportunity should be taken to cancel those rules (they have already been cancelled by Notification No. 457 F., dated 10th November 1879, as regards all areas outside the Murree and Kahuta Tahsils). I also give in Appendix IV* a draft of the orders which I would issue under the proposed notification. The main principles I have kept in mind in drawing up these rules and orders are those already advocated—*viz.*, (1) that as regards private lands as little restriction as possible should be placed on the removal of timber for domestic or agricultural purposes, but that the cutting of timber for sale should be placed under severe restrictions, and that Government should have some share of the price paid, as many of the trees are of great age and value, and have always been the property of the State: (2) that as regards trees standing on village common lands, the proper policy is to conserve them for the needs of the villagers, and to prevent any individual right-holder from appropriating an unreasonable share of them or from selling them to outsiders to the injury of the other right-holders.

Reasons for changes proposed.

13. The following brief notes will serve to explain some of the changes I have introduced into the draft notification and orders:—

Rule 2.—The Commissioner should have the power to declare areas of land not *shamilat deh* or *patti* to be "Unclassed State Forest," because there are certain areas with valuable trees on them which are not *shamilat*, but regarding which the Settlement Record declares that the trees are the property of Government and that the rules to be issued for unclassed State forests would apply to them, and because the power reserved to the Commissioner would prevent land-owners from removing lands covered with trees from the category of unclassed State forests by partitioning them.

Rule 4 *and orders under it.*—It is important to render punishable the abetting of the removal of timber for sale, because the best way to stop this being done will be to fine the contractors who tempt the owners to sell and who secure the produce. As the trees belong to Government, the action of such a contractor practically amounts to the offence of receiving stolen property, and should be punishable.

I recommend that the State should demand one-fourth of the market value of the trees when sold, seeing that the trees have always been the property of the State anp have grown where they stand without any effort on the part of the owner of the land. I would not make it more, because, as already said, I think it is good policy to encourage the owners of private land to allow trees to grow that they may make some profit out of them.

It is necessary that such timber, cut down for sale, should be marked, as otherwise the seller or purchaser would find it easy to add to it timber fraudulently cut down from neighbouring Reserved or Protected Forests.

Rule 5.—As the produce of unclassed State forests is set aside for the use of the village community, it can never be advisable to allow any right-holder to sell any portion of it. Nor can it ever be necessary to allow any portion of it to be used for burning lime or charcoal. Those articles are never used by the villagers except by a very few of the richest among them, who usually have trees or brushwood on their private lands, which they can use for the purpose, or who can afford to buy wood for burning the little lime and charcoal they want. When lime or charcoal is burnt, it is almost always manufactured for sale, which is to be discouraged, so far as the produce of the common lands is concerned.

* Not printed.

Rule 6.—Removing produce from common land for purposes of cultivation should not be allowed except by permission of the Deputy Commissioner, as this means that an individual right-holder encroaches on the rights of the other right-holders, and this should be forbidden until the other right-holders have been consulted, even in the rare cases in which there are no trees on the common lands (compare Section 150 of the Land Revenue Act).

Rule 7.—This rule is an amplification of the existing Rule 6 under Notification No. 335, dated 24th September 1889.

Rule 8.— Seeing that great power is given to the Deputy Commissioner by the rules, it seems advisable, with reference to the history of the case, that any orders passed by him under these rules should be submitted to the Commissioner for confirmation.

Summary.

14. I have therefore the honour to recommend (1) that the draft notification given in Appendix III be issued in supersession of Notification No. 335, dated 24th September 1889, and the rules of 1856; (2) that the draft orders given in Appendix IV be approved; (3) that sanction be given to the appointment of two Village Forest Girdawars (one for each tahsil) on Rs. 30 per mensem each.

Early orders solicited.

15. As it may take some time to get the draft notification passed, and as the present rules involve considerable hardship to the people which should be removed as soon as possible, I have the honor to ask that I may be allowed to issue at once so much of the draft orders given in Appendix IV as can legally be issued under the notification now in force (No. 335, dated 24th September 1889) and to appoint the two Girdawars as a temporary measure, until final orders are passed on the question.

Conclusion.

16. These proposals are the outcome of my two years' experience of the working of the present rules, and of several discussions with the Deputy Conservator of Forests and the people; Mr. Hoghton, who has been Deputy Conservator of Forests here for more than two years, and the present Tahsildar (Lala Kanhaya Lal) concur in the recommendations made.

APPENDIX I.

Rules under Notification No. 335, dated 24th September 1889, drawn up by Mr. Thorburn, Deputy Commissioner and issued with his No. 22 G., dated 2nd January 1890, to Deputy Conservator of Forests.

1. No proprietor or tenant with rights of occupancy or any other resident of the village shall cut or fell any tree or brushwood, specified in the notification, without first obtaining permission for the same from the Deputy Commissioner or the Tahsildar of the ilaka.

2. The Tahsildar of the ilaka is empowered hereby to give permission to a proprietor or to a tenant with right of occupancy to cut and remove 20 *bankats* or similar number of branches of "*chir*" tree, provided the same is required by the proprietor or the tenant with rights of occupancy for his own use, and provided also that he has not availed himself of such a privilege within the preceding two years.

The Tahsildars are also empowered to grant permission for as much brushwood as they deem sufficient for the requirements of applicants.

Applications for more wood should be made to the Deputy Commissioner himself. The Assistant Commissioner at Murree will exercise similar powers, as a tahsildar during the Murree season.

3. Non-proprietors and also persons having no rights of occupancy must apply to the Deputy Commissioner for permission to cut trees. Their applications must be attested by the Lambardars or other respectable persons of the village.

They have no rights to claim privileges similar to those granted to the proprietors.

4. Permission must be obtained for burning lime kilns and charcoal from the Deputy Commissioner.

No fees will be charged by for above-mentioned things, if they are required by the proprietors for their own use, but a reasonable fee will always be levied and credited to Government Treasury, if these things are required for a person having no rights in the village.

5. As it has always been the rule for the proprietors and tenants with right of occupancy in Murree and Kahuta Tahsils not to cut any tree growing on their own lands or on lands held by them in occupancy rights without permission from the Deputy Commissioner, written permission from the Deputy Commissioner will always be necessary as heretofore.

There is no restriction to their cutting brushwood or lopping trees growing on their own lands to a height of about 15 feet.

6. As *guzaras* are for the personal use of village *malguzars* and occupancy tenants, the sale of wood or brushwood to outsiders is strictly prohibited; Lambardars and Patwaris are held responsible for reporting such sales.

7. The breaking up of *guzara* land for cultivation is absolutely forbidden.

N.B.—The above rules supersede those hitherto in force.

APPENDIX II.

Rules under Notification No. 335, dated 24th September 1889, drawn up by Mr. Beckett, Deputy Commissioner, and issued with his No. 1534 G., dated 18th July 1894. (Rules now in force).

By Notification No. 335, dated 24th September 1889, the Hon'ble the Lieutenant-Governor was pleased to make Rules under clause (*c*) of Section 75, Act VII of 1878, for the preservation, reproduction and disposal of trees and timber, the property of Government, in the Unclassed State Forests of the Murree and Kahuta Tahsils of the Rawalpindi District. These rules are still in force. And whereas it is necessary that further rules should be framed by Deputy Commissioner regulating these matters, it is hereby declared that all previous rules framed by him are cancelled, and that the following rules shall come into force at once, and that they shall be read and construed as supplementary to the rules framed by His Honor the Lieutenant-Governor, Punjab, under clause (*c*) of Section 75, Act VII of 1878:—

Rules.

1. That no proprietor or resident of a village of the Murree and Kahuta Tahsils shall cut any tree or timber of the nature defined in Notification No. 335, dated 24th September 1889, except under permit previously obtained from the Deputy Commisssioner or the Tahsildars of Murree and Kahuta or the District Forest Officer, Rawapindi Forest Division.

2. Guzaras or village common lands are, firstly, for use of the proprietors of the village, and secondly, for the residents of the village. No trees or brushwood shall be sold from these guzaras by any proprietor or resident of village under any pretext whatsoever. Lambardars and Patwaris are responsible for the due carrying out of this rule, and are liable to punishment for any failure on their part in promptly reporting any infringement of the rule. Provided always that, should a proprietor or resident of a village desire to sell trees or brushwood from the village guzara, he shall present an application in writing to the Tahsildar, who after making the fullest enquiry into, or after personally inspecting the guzara report thereon—(1) that the guzara is capable of yielding the number of trees or quantity of brushwood demanded without in any way diminishing the legitimate requirements of the other proprietors or residents of the village, and (2) that there is *bonâ fide* necessity for the application. Such necessity shall be clearly stated. The application shall then be submitted to the Deputy Commissioner, who, after consulting the District Forest Officer, will pass such orders thereon as shall seem to him to be proper. The application shall only be allowed where absolute necessity is clearly shown and proved.

3. Whenever a proprietor or a resident of a village needs timber for building or agricultural purposes, he shall present an application in writing setting forth the purpose for which timber is required, to the Tahsildar, who when on tour, shall satisfy himself by visiting the locality as to the necessity for the application, or he shall refer it to the Field Kanungo, who shall submit his report thereon only after viewing the locality and making fullest possible inquiry into the necessity for the timber. The Tahsildars of Murree and Kahuta, and the Assistant Commissioner of Murree, for the time being, are hereby empowered to grant permission to any proprietor or resident of a village to cut 3 trees and 30 vargahs or chil branches of any kind. Biar shall only be cut in very exceptional cases. Provided always that permission will only be accorded when it is shown that the applicant requires the wood for his personal use, and that he has submitted no application and been allowed no timber of any kind during the past three years. Applications in excess of these quantities shall be referred to the Deputy Commissioner for orders.

4. Trees, for the removal of which permission has been accorded by the Tahsildars of Murree and Kahuta, shall be measured four feet above the ground, and the actual girth shall be noted in the ijazatnama or permit.

5. To prevent the unlawful felling of trees, each tree for the removal of which permission has been accorded shall be legibly branded in a conspicuous place with the letters F. G. which means "free grant." This mark shall also, as soon after as possible the trees have been sawn or shaped into beams, planks, &c., be branded on to such beams, planks, &c. The brand shall always be secured in a locked box or a leather bag which shall also be secured by a lock, and shall, when not in use, remain in the custody of Tahsildars, Murree and Kahuta. The branding of trees or beams, planks, &c., shall, whenever practicable, be conducted under the immediate supervision of the Tahsildar, Murree or Kahuta,

Whenever either of these Tahsildars is unable for any reason to conduct the duty, the Field Kanungo shall be entrusted with it. He shall, so long as the brand remains in his charge, keep it securely in the box or leather bag provided for the purpose, and shall return it to the Tahsildar immediately it is done with.

All trees shall be branded within a week from the date of permission for their removal has been accorded, and after they have been converted into beams, planks, &c., these shall be branded as soon as possible after they have been so converted.

6. Trees for the removal of which permission has been granted and beams, planks, &c., shall be removed within three months from the date of the ijazatnama or permit. This permit shall be retained by the grantee for the period it is valid, and a true copy of it shall be forwarded to the District Forest Officer on the day it is issued. So soon as the trees or beams, planks, &c., have been removed, the grantee shall make over his permit to the Patwari, who after satisfying himself that the wood has been utilized for the purpose for which it was granted, and recording the fact on it, shall either return it to the grantee or make it over to the Tahsildar himself. When returned to the grantee, the grantee shall send it to the Tahsildar. Provided always, that should trees be not felled, removed and used, or beams, planks, &c., not used within the stipulated period of three months, they shall be confiscated and sold by the District Forest Officer, but in every case where reasonable cause for delay of such felling, removal and use within the prescribed period is proved to the satisfaction of the Deputy Commissioner, it will be competent to him, after consulting the District Forest Officer, to grant an extension of such further period as shall appear to him to be proper.

7. The registers of permits of the Kahuta tahsil shall always remain in charge of the Tahsildar of that tahsil. The register of Murree tahsil shall so long as an Assistant Commissioner is not appointed to the charge of the Murree Sub-Division be in charge of the Tahsildar, but when an Assistant Commissioner has been so appointed, he shall have charge of it, and shall retransfer it to the Tahsildar, whenever he relinquishes charge of the Sub-Division. On the first day of each calendar month, the Tahsildars of Murree and Kahuta or the Assistant Commissioner, Murree, shall submit a list of trees for the removal of which permission has been accorded during the previous month to the District Forest Officer.

8. Should a proprietor or a resident of a village need wood for burning a lime or surkhi kiln, or for converting into charcoal, under rule 4 of the rules published by Notification No. 335, dated 24th September 1889, he shall submit an application in writing for the same to the Deputy Commissioner, who, after consulting the District Forest Officer as to the capability of the guzara to furnish the required quantity of wood without affecting the future supply for the village community, shall pass such orders thereon as circumstances will admit.

9. The breaking up or clearing guzara lands for cultivation is strictly prohibited.

10. Any permit-holder infringing any rule hereinbefore contained shall be liable to prosecution under Section 76, Act VII of 1878.

11. In these rules the word Tahsildar includes Naib Tahsildar.

No. 4111, dated 1st July 1899.

From— W. S. HAMILTON, Esquire, C. S., Senior Secretary to the Financial Commissioner, Punjab,

To—The Legal Remembrancer to Government, Punjab.

I AM directed to forward a copy of a draft notification which it is proposed to issue under the rules of 1855, printed on page 1110 of Rattingan's Acts, and under Section 75 of the Forest Act, and to ask for your opinion as to the form and legality of the draft.

2. I am to notice that the Financial Commissioner has given it as his opinion that rules made under the rules of 1855 require the sanction of the Government of India (*vide* Financial Commissioner's No. 76, dated 27th January 1898, in Proceedings, Forest Department, for February 1898, Nos. 1-2, of which a copy is enclosed). If this opinion is correct, the present notification will require the sanction of the Government of India. If, however, the notification can issue under Section 75 of the Forest Act alone no reference to the rules of 1855 would be necessary, and the sanction of the Local Government would be sufficient. I am therefore to ask for your opinion as to whether the notification can be made under Section 75 of the Forest Act.

No. 952 L. R. Op., dated Lahore, 19th July 1899.

From—E. W. PARKER, Esquire, Legal Remembrancer to Government, Punjab,

To—The Senior Secretary to the Financial Commissioner, Punjab.

I HAVE the honor to acknowledge the receipt of your letter No. 4111, dated the 1st July 1899, on the subject of the proposal to issue certain rules under the authority of the Forest Rules of 1855 and Section 75 of the Forest Act, 1878, and to reply as follows.

2. The power to frame rules under Section 75 of the Forest Act, 1878, must necessarily be exercised subject to the other provisions of that Act, and cannot be exercised so as to give effect to provisions contained in the rules of 1855, except in so far as those provisions are covered by powers conferred by the Forest Act itself, and to that extent the rules of 1855 are no longer in force, although not expressly repealed.

3. The rules of 1855 have the force of law under Section 25 of the India Councils Act, 1861 (24 and 25 Victoria, Chapter 67), as well as by reason of their inclusion in the first schedule of Act IV of 1872; but, so far as they are covered by, or are inconsistent with any subsequent enactment of the legislature, they cease to have effect. Two principles would apply, namely, *first*, that a later Act on the same subject supersedes, and, by implication, repeals, all inconsistent provisions of an earlier Act, and, *second*, that where two Acts contain provisions dealing with the same subject, the late Act would prevail (Beal, Cardinal Rules of Interpretation, 1896, page 221; Maxwell on Interpretation, 3rd Edition, pages 217, 218, 259). On the other hand, so far as the rules constitute a *special* law for particular tracts of territory and so far as they travel beyond the Act of 1878 without being inconsistent with it, they remain in force. In other words, the special rules of 1855 are in force to the extent to which the powers they confer exceed, without being inconsistent with the powers conferred by, the general Act of 1878. But they must be strictly observed and construed.

4. The Act of 1878 confers powers to deal with—

(1) forest or waste-land which is the property of Government in one or other of three ways, namely, as reserved forests, village forests, or protected forests (Chapters II, III and IV);

(2) forest or waste land which is *not* the property of Government (Section 35 Chapter VI);

(3) cases in which the trees and timber belong to the Government while the land on which they grow does not belong to Government (Section 75 (*c*)).

The rules of 1835 confer powers to deal with certain matters in hill districts of the Punjab, and these powers may be thus grouped—

(*a*) to regulate, restrict or prohibit any operation calculated to destroy or injure existing supplies of timber, and grazing and setting fire to forests. These powers are general, and may be applied without reference to any limits of space within the hill districts (Rules 7—11);

(*b*) to regulate, restrict or prohibit felling or cutting or other injurious act for any purpose whatever (except for wood and fuel for domestic and agricultural purposes of the owner or occupant of the land) in respect of trees, &c., of any *particular species*. This power is similarly general (Rules 4, 5 and 6);

(*c*) to mark off, denote the boundaries by boundary marks, fence in and protect from trespass of all kinds any specific local area and declare it a "*Public Reserve*," and to regulate, restrict and prohibit the felling and cutting of trees, and to do everything necessary to develop such area and preserve the growth of trees, shrubs and brushwood within its limits. This power is also subject to an exception in favour of wood and fuel required by owners and occupants for domestic and agricultural purposes (Rules 1—3 and 6).

Areas dealt with under Chapters II, III, IV and VI of the Indian Forest Act would apparently be excluded from the operation of these rules, but the powers (*a*) and (*b*) of the rules might be exercised throughout any other portion of any hill tract, whether both the land and forests were Government property, or the land was private property and the trees and timber Government property, or both the land and trees were private property.

The powers under (*c*) of the rules are limited to a specific area constituted a "*Public Reserve*" in the particular manner indicated.

5. The draft of proposed rules received for opinion do not apparently profess to deal with—

(1) Reserved Forests, Chapter II, Act VII of 1878.
(2) Village ditto, ditto III, ditto.
(3) Protected ditto, ditto IV, ditto.
(4) Controlled ditto, ditto VI, ditto.
(5) Public Reserves, Rules 1—3 of 1855.

Rules 3 and 4 apparently deal with private land on which the trees belong to Government, and therefore fall under Section 75 (*c*) of the Act of 1878.

Rule 5 apparently deals with cases in which both land and trees belong to Government (and to this extent they are either based on the absolute right of Government as a private owner, or on powers conferred by Chapters II to IV of the Act, or under Rules 4, 5 and 6 of the rules of 1855), or to cases in which the trees belong to Government, but not the land (and to this extent are made under Section 75). As to cases in which both trees and land belong to the Government, they must, to bring them under the Act, be declared to be either reserve or protected forests. If they are to be brought under the rules of 1855 (Rules 4 and 5), only particular *species* of *trees* can be regulated, whereas trees and brushwood are both dealt with in draft Rule 5, and, as these words are defined in Rule 2, they exhaust everything. This is not the intention of Rules 4 and 5 of the rules of 1855. Those rules were expressly intended to apply to particular kinds of trees only, and the word "brushwood" should be removed if it is intended to bring this draft rule under Rules 4 and 5 of the rules of 1855.

6. The definitions of "trees" and "brushwood" in the draft rules exclude *stumps, canes* and *timber,* whereas the definition of "tree," given in the Act, includes "brushwood" and that of "timber" includes all "trees" which are not growing. The same sense would be obtained if the work "trees" (as defined in the Act) were used in lieu of the words "trees and brushwood," but the rules take no count of "timber" and this is important. It would be better to use the words *tree* and *timber* in the sense in which they are used in the Forest Act (see also Act X of 1897, Section 20).

7. As to the definitions of "unclassed State forests" and "private lands,' I have made some remarks in my note on the rules (attached). They appear to be unnecessary and add two more to the five existing kinds of forests described in paragraph 5 of this letter.

8. With regard to the details of drafting and language, I attach a note discussing the draft rules and revised draft which is, however, necessarily incomplete, as further information and explanation as to the precise scope and object of the rules is wanted.

9. I do not consider that the rules made under the rules of 1855 require the sanction of the Governor-General in Council. Powers are conferred on the "Civil. authorities" of the Province, and the Local Government now takes the place of the authorities referred to. It is only rules under Sections 27, 31 and 41 of the Forest Act which require sanction from higher authority than the Local Government, and there is nothing in the rules of 1855 rendering an appeal to higher authority legally obligatory: whether or not such a reference may be expedient on non-legal grounds, I need not stop to consider.

Note by the Legal Remembrancer, Punjab, on the draft Rules to be made under Section 75 (c) of the Indian Forest Act, 1878, and the Hill Forest Rules of 1855.

1. The general priciple to be observed in making rules under the rules of 1855 is that no rule should be made under the authority of those rules which can be made under any provision of the Forest Act, 1878. When the powers under that Act are inapplicable or exhausted, the powers conferred by the rules of 1855 may properly be brought into play, but they must be exercised strictly in the manner and within the limits prescribed by those rules.

2. The draft notification is unnecessarily prolix and may be shortened as indicated in the revised draft annexed. The proposed rules go beyond the provisions of clause (c) of Section 75 of the Act, while the language of the notification is limited to that of clause (c); the matters dealt with are the preservation, reproduction and disposal of trees and timber—

(1) belonging to Goverment, but grown on lands belonging to or in the occupation of private persons;

(2) belonging to Government and grown on Government land, but not dealt with under Chapter II, Chapter III or Chapter IV of the Forest Act, 1878.

The rules do not apply to forests and lands not being the property of Government which can be controlled under Chapter IV of the Act. The scope of the notification must be accurately stated.

3. The notification should itself specify all rules which are superseded by the new rules and repealed, and, in addition to the cancellation of Notification No. 335, dated the 24th September 1889, the cancellation of the rules sanctioned in Chief Commissioner's letter No. 1623, dated the 4th August 1856, should be referred to in and repealed by the notification. This is now done in Rule 9 of the draft rules instead of in the notification. Draft Rule 9 should be omitted and the notification added to accordingly.

4. The extent of the intended operation of the rules should be more clearly explained than is at present the case in Rule 1. I presume that the rules extend to the *tree and timber belonging to Government* throughout the tract specified in Rule 1. If so, this should be stated. If any trees or timber belonging to private persons are to be dealt with, this will have to be very clearly explained. Besides the exclusion, from the operation of the rules, of areas within Municipal and Cantonment limits, areas which are already dealt with as reserved, village, protected or controlled forests under the provisions of the Indian Forest Act should be excluded. Rule 1 of the rules, as revised and submitted by me, shows what I mean, but the information supplied to me is insufficient to enable me to be sure that I have carried out the real intention of Government.

5. The expressions "tree" and "timber," as defined in the Indian Forest Act, 1878, are intended to be practically exhaustive. "*Tree*" includes palms, *bamboos*, stumps, *brushwood* and canes. "Timber" includes all felled or fallen trees and wood. In Rule 2 of the proposed rules the definition of "tree" excludes "brushwood," but "trees" and "brushwood" together represent the whole of what is included in "tree" by the Act, except "stumps" and "canes." I can find nothing in the draft rules to explain these five distinctions, more especially as the rules deal throughout with both "trees" and "brushwood," and therefore the single word "tree," as defined in the Act, would have been sufficient. The rules, exclude stumps and canes from the definition of "tree" and nowhere refer to "timber," so that the advantage of the exhaustive character of the expressions "trees $(\frac{\text{and}}{\text{or}})$ timber," as defined in the Act, is altogether lost, and all sorts of vistas of technical disputes are opened up.

At the first glance I thought the special definition of the expression "tree," given in Rule 2, had reference to some regulations, restrictions or prohibitions as to *particular species of trees* to be made in the rules, under the powers conferred by Rules 4 and 5 of the rules of 1855, but nothing of the kind is found in the draft rules, which deal, without distinction, with trees and brushwood (*i.e.*, the "*tree*" of the Act minus *stumps* and *canes*), but say nothing about "*timber*" as defined in the Act.

I am at a loss to understand the object of these definitions in the rules, and, as at present advised, consider that the terms "trees" and "timber" should be used in the rules in the sense in which they ae defined and used in the Act, and that this should either be expressly stated in the rules or be left to be implied under Section 20 of Act X of 1897.

6. The limits to which the draft rules extend cannot be regarded as a tract dealt with under Rules 1—3 of the rules of 1855, as, for the purposes of those rules, the tract must be *marked off, denoted by boundary marks, fenced in* and declared a *public reserve.* The draft rules contain nothing under Rules 4 and 5 of the rules of 1855, as above explained.

The draft rules deal with—

(1) forests of which the trees belong to Government and the land to private persons;

(2) forests of which both trees and land are Government property, but which are not dealt with under Chapters II, III or IV of the Act.

There are no provisions under Chapter VI of the Act. This being so, I fail to see the object of the definitions of "land," "unclassed State forest" and "private lands". "Private lands" must mean lands which are not the property of the State, and no one can alter that fact one way or the other. "Unclassed State forest" must mean either (1) forests of which the land, trees and timber belong to Government, but which are not dealt with under the Act, or (2) forests of which the trees and timber belong to Government while the land is private property, or (3) an area marked off, denoted by boundary marks, fenced in and declared to be a public reserve under Rules 1—3 of the rules of 1855, or a combination of (1), (2) and (3), or any two of them. All three definitions appear to me upon the information at present at my disposal, to be unnecessary, as the language of the rough revised draft now submitted will show.

7. *Rule* 3.—It is unnecessary to state in this rule that no permission is required for the cutting or removal of trees, &c., growing on private lands for domestic or agricultural use within the estate to which the land belongs; or to state that the cutting or removal of a tree without notice is to be a breach of the rule. All that is necessary is to state what regulation, restriction or prohibition is to be imposed. Everything which is not restricted or prohibited may lawfully be done, provided it is done in the manner (if any) prescribed and every act done in contravention of a rule is, without further statement, a breach of that rule. The substance of draft Rule 3 is more accurately and properly stated in Rule 3 of my revised draft of the rules hereto annexed.

8. *Rule* 4.—Draft Rule 4 may be more suitably stated as in Rule 4 of the attached revised draft.

9. *Rules 5 and 6.*—Draft Rules 5 and 6 are unduly complicated and are covered by revised draft Rule 5 attached.

10. *Draft Rule* 7 contains a general provision as to conflagrations applicable to the entire hilly and mountainous districts of Murree and Kahuta Tahsils, applicable to all areas not dealt with by rules made under Sections 25 (Reserved Forests), 32 (Protected Forests), or 35 (c) Private Forests). This rule is made under Rules 7—9 of the rules of 1855. I have revised the language,—see Rule 6 of my revised draft attached.

11. I notice that the draft rules are silent as to grazing though, apart from Sections 25, 32 and 35 of the Act, Rules 10 and 11 give ample power, and, unless grazing is regulated, the forests may be destroyed or injured (Rule 7 of the rules of 1855). Another omission is, a rule to render villagers, owners and occupiers liable for conflagrations occurring within their bounds. Until a rule is framed under Rule 9 of the rules of 1855 the penal Rule 12 (of 1855) will not apply.

12. According to draft Rule 8 every order passed by the Deputy Commissioner must be referred, for confirmation, to the Commissioner. As this rule stands, whenever permission to cut a tree is given or refused, the order must be confirmed by the Commissioner! What is apparently intended is, that general orders of the Deputy Commissioner prescribing the officers to whom, and the manner in, and conditions subject to which, notices and applications are to be presented or permissions granted under the rules should be confirmed by the Commissioner. Perhaps the form of Rule 7 of my revised draft expresses the intention more clearly.

No. 4810, dated 8th August 1899.

From—W. S. Hamilton, Esquire, C. S., Senior Secretary to the Financial Commissioner, Punjab,
To—The Legal Remebrancer to Government, Punjab.

With reference to your letter No. 952, dated 19th July 1899, regarding the issue of certain rules in connection with the forests in the Murree and Kahuta Tahsils of the Rawalpindi District, I am directed to forward a letter from the Commissioner of the Rawalpindi Division, No. 1472, dated 17th May 1899, with its enclosures, and to say that the Financial Commissioner thinks that these papers will furnish you with all the information necessary to enable you to complete your revised draft of the rules. I am to say that the Financial Commissioner regrets that the papers were not sent in the first instance, as it was thought that the draft notification sufficiently explained itself.

2. I am to explain that Rules 3 and 4 of the Deputy Commissioner's draft are intended to apply to trees growing on private lands which by the rules of 1856 were declared to be the property of Government. As the rules of 1856 are being repealed by the present notification, it will be necessary for you to alter your draft Rules 3 and 4 so that they may of their own force and apart from the declaration in the rules of 1856 prohibit the cutting, and control the use, of trees growing on private lands, whether those trees belong to Government or not.

Secondly, I am to note that the Deputy Commissioner's draft Rule 5 applies to trees owned by Government growing on shamilat or in private holdings as explained in paragraph 3 of Mr. Wilson's letter No. 287 G., dated 21st July 1898, and not to cases in which both land and trees belong to Government as supposed by you. This fact will probably remove the difficulty expressed by you in the last part of the 5th paragraph of your letter. Sections 35 and 75 of the Forest Act apparently give complete power to prohibit the cutting of all kinds of trees growing on lands not the property of Government.

No. 1191—L. R. O. p. dated Lahore, 25th August 1899.

From—E. W. Parker, Esquire, Legal Remembrancer to Government, Punjab,
To—The Senior Secretary to the Financial Commissioner, Punjab.

With reference to correspondence ending with your letter No. 4810, dated the 8th August 1899, and subsequent demi-official reference, on the subject of the *Murree and Kahuta Forest Rules*, I have the honor to submit a final draft of the rules, which will, I trust, be found to carry out the intentions of Government in a suitable manner.

2. I do not think I need discuss the rules in detail. I may, however, state generally that—

(*a*) Rules 3 and 4 deal with forest lands, waste lands common lands, and other lands referred to in the Deputy Commissioner's letter No. 287 of 21st July 1898, paragraph 3;

(*b*) Rules 5 and 6 deal with all other agricultural lands (*i.e.*, private lands);

(*c*) in Rule 3 the acts prohibited (except as provided in Rule 4) have been clearly stated and include abetment. They extend to forest produce (as

defined in the rules) and are otherwise wider than was originally proposed, and are framed on the lines of Section 32 of the Forest Act; and,

(d) in Rule 5, the acts prohibited (except as provided in Rule 6) include abetment, but do not extend to forest produce (as defined) in the rules, and are narrower than in Rule 3. Rule 6 has been made more complete.

3. The remaining rules do not appear to call for remark.

4. I return the original papers received with your letter under reply.

NOTE BY COMMISSIONER.

Murree and Kahuta Forests.

THIS case was considered on the 14th instant in conference by Lieutenant-Colonel Leigh, Deputy Commissioner, Mr. Buck, Assistant Commissioner, Murree, Mr. Hoghton, the Forest Officer, and myself. The Tahsildar, M. Ghulam Haidar, was called in during a part of the meeting to give information.

2. The Financial Commissioner regrets that this matter has been stirred. As I understand it was inevitable that it should be taken up, not only on account of the complaints of the people reported by Mr. Wilson and Lieutenant-Colonel Leigh, but also because some time before Lieutenant-Colonel Leigh took charge of the district, it had become well known to the Bar at Pindi that Mr. Beckett's rules of 1894 had no legals validity in respect of trees on private lands. I should be glad of any additional and specific information as to the reasons for moving the matter which the Deputy Commissioner can readily supply.

3. From what I gathered at the conference I am afraid that Mr. Wilson's rules, provisionally put in force by me, have not been given a fair chance. Apparently notices have been received of proposed fellings of trees on private lands and nothing has been done on them; though in some cases the number of trees was so great that it would not be reasonable to suppose that the trees were wanted only for domestic or agricultural purposes within the estate. Mr. Wilson's Rule 4 expressly prohibited cutting or removing trees for sale or for any other purpose than those above specified. It is true that this rule was not expressly put in force, but it should not be a dead letter. Moreover in paragraph 6 of my letter No. 1473, dated 17th May last, I directed that Mr. Wilson's orders 1 to 3* in his draft instructions were to be applied *as supplementary to the rules of* 1856. These rules of 1856 are held to be still in force and the essential portions of them are quoted at the end of paragraph 5 of Mr. Wilson's letter No. 2878, dated 21st July 1898. They declare that *except for domestic or agricultural purposes* the trees may not be cut without permission of the Civil authorities, and a violation of this rule is punishable by fine not exceeding Rs. 100 for each offence.

* Order 3 in substance prohibits felling for sale without permission.

4. I shall be glad of the advice of the Deputy Commissioner as to what intermediate orders should be given until we can get formally sanctioned rules. I suggest that when notice is received of an intention to fell, the Assistant Commissioner or Tahsildar should take immediate steps to satisfy himself that the trees are wanted for a domestic or agricultural purpose and should warn the person making the application that if he fells for any other purpose, he will be liable to fine. If it appears that the applicants or members of their family have been felling trees recently or that the number of trees specified in the notice is larger than would be required for domestic or agricultural purposes it should be assumed that the trees are wanted for sale until the applicants can prove the contrary. Where any extensive fellings have taken place, as in Charikar, it might be well to investigate the purpose of the same, and to try the effect of some prosecutions under the rules of 1856 for felling for sale without the permission of the Civil authorities.

5. Although I do not, as at present advised, consider that Mr. Wilson's rules have had a fair trial, I agree in the opinion expressed at the conference that they are not sufficiently restrictive.

6. I think we may hold that Mr. E. W. Parker's draft rules (subject to one or two small criticisms to be made below) meet the requirements of the case except as regards private lands. They will have to be supplemented by instructions of a general kind framed by the Deputy Commissioner and sanctioned by the Commissioner.

7. It was arranged at the conference that the Deputy Commissioner should make revised proposals for private lands including the establishment necessary for giving effect to them and the exact procedure.

8. As to establishment I understood that the work of granting permits goes on during the winter months and that the Financial Commissioner is hardly right in supposing

that the Girdawars would have nothing to do for nine months of the year. Particulars as to this should be given. The number of permits given in winter months during recent years should be stated if possible.

9. In framing revised proposals Deputy Commissioner should consider—

(1) Mr. Beckett's rules of 1894.

(2) Paragraphs 4, 5, 6, 8, 9 and 10 of Mr. Wilson's No. 287 G., dated 21st July 1898.

(3) Mr. Wilson's draft *Rules* 3 and 4.

(4) Mr. Wilson's draft *Instructions* 1, 2, 3.

(5) Mr. Parker's draft Rules 5, 6 and 7.

10. What we want is to guard against excessive fellings on private lands while diminishing delay, opportunities for bribes, and number of visits to the spot by officials.

11. My own inclination is to require permission in all cases and to look primarily to the amount of timber alleged to be needed. It does not matter very much what becomes of the trees if only a few are cut. I would give up marking and looking after beams and planks, but I should be strict about granting applications for more trees than could be shown to be necessary for the agricultural or domestic purpose alleged or applications from the same persons or members of their families within three years. It may be necessary to mark the trees to be cut. I refer above to marking beams and planks.

12. I observe that Rule 7 of Notification No. 355, dated 24th September 1889 directs that trees cleared from land allowed for cultivation "shall be taken over by the Forest Department and disposed of by them." This provision seems to have dropped out of sight in the present discussions.

13. I do not know why the words "other combustible or inflammable material" have been inserted in two places in Mr. Parker's draft Rule 8. Clause (1) of that rule extends to all private lands, and I think the rule as it stands might be construed to prohibit a fire in a dwelling-house. I would omit these words in both places.

14. The opening words of Mr. Parker's draft Rule 9 should run "every general order or direction." I hardly think any further amendment is necessary in this rule; but the point should be considered.

15. With reference to paragraph 12 above, if fees are charged, the timber can hardly be sold by the Forest Department. Perhaps this is the reason why Mr. Wilson omitted to reproduce this provision of the notification to be repealed.

The 17*th September* 1899.

C. L. TUPPER.

No. 6730, dated 1st November 1899.

From—W. S. Hamilton, Esquire, C. S., Senior Secretary to the Financial Commissioner, Punjab,

To—The Commissioner and Superintendent, Rawalpindi Division.

With reference to your letter No. 1472, dated 17th May 1899, and subsequent unofficial correspondence regarding the administration of the Murree and Kahuta village forests I am directed to forward a copy of the correspondence noted in the margin, and to convey the following remarks of the Financial Commissioner.

1. Financial Commissioner's No. 4111, dated July 1st, 1899.
2. Legal Remembrancer's No. 952, dated 19th July 1899, without enclosure.
3. Legal Remembrancer's No. 1191, dated 25th August 1899, and enclosure.

2. The Financial Commissioner understands that you now wish to modify the proposals contained in your letter under reply, and to require that a permit be obtained before trees are cut in private land even for agricultural purposes. By this modification the system of notice described in Mr. Parker's draft Rule 6 (1) will be done away with, and in all cases a permit will have to be taken out before a tree is cut. As this proposal will secure the trees from reckless cutting, the Financial Commissioner approves of it, subject to the remarks contained in the succeeding paragraphs of this letter.

3. The Financial Commissioner understands that it is intended to require permits to be taken out for the cutting of wood in private lands only in the case of certain trees,—*vide* Rule 1 in Gazette Notification No. 335, dated 24th September 1889. A list of the trees should be given in the rules.

4. The Financial Commissioner will be obliged if you will have an estimate prepared of the number of trees that are likely to be cut yearly after the introduction of the new rules in Murree and Kahuta, respectively, and also an estimate of the amount of fees which

will be realized from the persons permitted to cut them. With these figures before him, Mr. Thorburn will be able to judge how far the extra establishment now asked for will be adequate or more than adequate for the work to be done, and also how far the cost of it will be covered by the receipts from fees.

5. Your proposals as to establishment are as follows:—

(*a*) One additional Permanent Naib Tahsildar for the Murree Tahsil who will be employed for nine months on the forest work in that tahsil and for three months elsewhere in the district on mutation work.

(*b*) Two extra Naib Tahsildars—one for Murree and one for Kahuta—for six months in the year.

The Financial Commissioner agrees with you that Girdawars will not be required in addition to these Naib Tahsildars.

6. Mr. Thorburn thinks trees should be allowed to be cut only for domestic and agricultural purposes and not for sale; and when clearings are made for cultivation the Financial Commissioner would not allow the trees referred to in paragraph 3 of this letter to be sold.

7. Mr. Thorburn thinks there is no reason whatsoever why the Naib Tahsildar's inspections should not be at fixed times, say about those of the crop girdawaris. He asks for your opinion on this. Applications for permits could be left to accumulate till the inspection season. The proposed rules would, I am to say, make the Naib Tahsildars the slaves of the applicants, whereas the applicants might well by the exercise of a little forethought estimate their requirements beforehand.

8. Mr. Parker's draft rules and also the supplementary rules drawn up by Mr. Buck should, I am to say, be revised in accordance with the above remarks. The supplementary rules will need a considerable amount of alteration, and the forms attached to them should be simplified. Entries regarding "measurements of house to be built" are, I am to say, likely to be fictitious and might well be omitted.

9. This office file is sent for reference.

No. 2556—J-VI-18, dated 29th June 1900.

From—Lieutenant-Colonel J. A. L. MONTGOMERY, Commissioner and Superintendent, Rawalpindi Division,
To—The Senior Secretary to the Financial Commissioner, Punjab.

IN continuation of my No. 2215,* dated 7th instant, I have the honor to forward, for the Financial Commissioner's information, a copy of my letter No. 2221 of same date on the subject of cutting trees in the *guzara* lands of the Murree and Kahuta Tahsils.

* Not printed.

No. 2221, dated 7th June 1900.

From—Lieutenant-Colonel J. A. L. MONTGOMERY, Commissioner and Superintendent, Rawalpindi Division,
To—The Deputy Commissioner, Rawalpindi.

I HAVE the honour to reply to your No. 108 G., dated 5th March, relating to the cutting of trees in *guzara* lands in the Murree and Kahuta Tahsils. I kept the papers by me that I might consider them on the spot. I have now seen some of the Kahuta and Murree forests and have had an opportunity of discussing the question in all its bearings both with the people and also with the Forest officials.

2. I am afraid that the scheme you propose instead of the permit system is not practicable. It would be impossible for the Naib Tahsildar to be present in a village all the time the trees to be felled were cut down and stacked. Such operations take a long time, more especially when, as is often the case in the hill villages, the implements are few and the felling is done by turns.

I think that the permit system must be continued, but I quite agree with you that it should be made as little burdensome as possible to the people.

3. The plan I would propose is as follows. It is to a great extent on the lines suggested by Mr. Coventry in a memo. which he forwarded you on the 24th January. Lambardars of the villages should be given printed forms in which should be entered in lists the names of persons who desire timber for their houses or for other similar purposes. The requirements of each person should be entered in the lists from time to time as they are stated to the Lambardars. The Naib Tahsildar should be required to visit each village in the tahsil with a responsible Forest Official at stated times to consider these lists and mark the trees to be felled. The visits for the giving of permits should be made at least once a year.

The Financial Commissioner suggests that the visits should be made at girdawari time. That would be twice a year. Would this be possible?

On going to a village these officers would go over the list of requirements and pass orders on each case, having regard to the legitimate wants of each applicant, and after considering whether permission to cut trees had been given less than three years previously.

Permits (on printed forms) would be given at once at the village, and the trees covered by the permits be hammer-marked there and then.

4. After this it would be the duty of the Naib Tahsildar to pay another visit to the village after an interval of not less than three months to hammer-mark the scantlings, &c., which had been made from the felled trees. This having been done, there need be no further enquiries as to how the marked wood is used. It cannot well be sold, for it is in contemplation to establish check-posts on the roads leading to all large centres like Rawalpindi and Murree, and no wood would be allowed entry which had on it the hammer-mark of the free grant as opposed to that which is put on wood cut for sale in the Government forests. The people would thus have their legitimate wants supplied without any visits to the tahsil; and they would only be subjected to two visits, and those by responsible officers, not Kanungos whose honesty cannot be guaranteed. One important change introduced by this procedure would be that the fixed time limit would be done away with. The Naib Tahsildar would visit each village after a reasonable interval, and would mark the cut timber. If a tree for which a permit had been given had not yet been felled, or cut up, further time could be given for good reason shown till the next visit. And it would be necessary to give such further time in the case of Government servants who might be absent from their homes, and only be able to come to them for a short time. Every facility should be given to such persons to cut and utilise the timber given them.

5. One of the most urgent requests made to me was that permission should be given to cut down trees growing on private lands without permit. After what happened last year at Charihan and other villages near Murree I do not think this would be a safe concession.

Nearly all the trees growing on private lands would be at once cut down and sold. The complaint that trees growing on fields do harm by their shade is not a very real one, for permission already exists to lop trees growing on cultivated land up to two-thirds of their height. But the tahsil officers might be given authority to permit the cutting down of any trees which are found to be harmful to existing cultivation.

6. Another question is the right to break up new land. I should be inclined to allow new cultivation readily where there are no trees; this is already permitted by paragraph 5 of the rules of 1889. It might also be permitted in cases where the trees are few and the ground is sufficiently level to give hopes of good crops being raised. The taking of dry wood and of brushwood for domestic purposes should be permitted as before. There should be no restriction on this.

7. I shall be obliged if you will now, in consultation with the Deputy Conservator of Forests, consider the draft rules as revised by the Legal Remembrancer, and amend them in order to comply with the above suggestions.

The following particulars have been called for by the Financial Commissioner, and should be furnished with your reply :—

(*a*) A list of the trees to which the rules would apply.

(*b*) An estimate of the trees likely to be cut down under the new rules.

(*c*) An estimate of the fees which would probably be realised if Mr. Wilson's scale of fees were adopted.

I am myself opposed to allowing any cutting for sale from the private or *guzara* lands. If any trees are sold, the proceeds should, I think, be credited to Government as they are the property of Government.

I return your file, and am sending the file received from the Financial Comissioner back to him, as he has called for it.

No. 106—J-VI-18 M., dated 7th September 1900.

From—Lieutenant-Colonel J. A. L. MONTGOMERY, Commissioner and Superintendent, Rawalpindi Division,

To—The Senior Secretary to the Financial Commissioner, Punjab.

I HAVE the honor to reply to your No. 6730, dated 6th November 1899, regarding the administration of the Murree and Kahuta village forests. The delay, which I regret, has been due to the following causes.

2. Shortly after the copy of your letter was sent to the Deputy Commissioner the office changed hands, and in March Colonel Egerton sent me some revised rules embodying a plan by which the permit system was to be abolished. A copy of his

No. 108, dated 5th March, is enclosed. I considered the plan impracticable, and moreover it involved a too radical change in procedure which had been suggested by Mr. Wilson and approved by the Financial Commissioner. I accordingly, after marching through the forests, wrote my No. 2221, dated 7th June, of which a copy was sent to you with my No. 2556, dated 29th June. This letter explains how far it seemed to me to be advisable to make some changes in Mr. Wilson's proposals. The rules which have been drawn up by the Deputy Commissioner and Deputy Conservator of Forests jointly in accordance with my instructions are forwarded herewith in original. They are based on the draft rules drawn up by the Legal Remembrancer, and received with your letter under reply. Draft rules of procedure to be issued by the Deputy Commissioner have also been framed. After receipt of these draft rules, there was further delay, because the Deputy Commissioner had omitted to give the information you had called for. As to this point it may be stated that—

(a) the trees tc which the rules apply are mentioned in those rules;

(b) the number of *chir* trees granted annually from the *guzaras* of Murree and Kahuta is about 1,000, as well as about 1,000 *biar* trees;

(c) taking the rates to be paid for *chir* and *biar* at Re. 1 and Rs. 2 per tree, respectively, the fees levied annually would be about Rs. 1,200.

3. In the course of my tour in Kahuta and Murree I had many conversations with the people and with the Forest officials. The desire of the people was strong to get as free a hand as possible with all timber growing in their *guzaras*; but the experience of last year, when permission existed for a short time to cut trees growing on private lands, showed that it would be impolitic to remove the present restrictions on such trees. We have to preserve the rights of Government, and at the same time to make the rules for the grant of timber as little burdensome as possible. The proposal is to do away with petitions for permits at tahsil head-quarters. Instead of this the Lambardars of villages will be given printed forms in which will be entered the requirements of all persons who seek permission to cut trees. The Naib Tahsildar must proceed with a responsible Forest official to every village at least once a year to consider the list; where the applications are numerous, these preliminary visits should be paid twice in the year. The work involved in these preliminary visits, and in the subsequent ones when the cut timber is to be hammer-marked, will be considerable; but I think the following extra establishment will be enough:—

For Tahsil Murree.—One Naib Tahsildar for the whole year.

For Tahsil Kahuta.—One extra Naib Tahsildar for six months from 1st October to 31st March. Urgent work of this nature occurring in the summer months in Kahuta can be done by the ordinary tahsil staff.

It will be the duty of these officers to be constantly on the move, visiting all forest villages by turns. While at the work, they could also perform other duties, such as the attestation of mutations, &c. If there is a permanent Naib Tahsildar at Murree, it will be possible for the Tahsildar sometimes to go on tour in the winter months. At present he is tied to head-quarters, being in charge of the treasury. If it is found that the Naib Tahsildar of Murree is able to do all his forest work in nine months, he can be utilised for the remaining three months of the year in mutation work in other parts of the district.

4. Personally I do not approve of the proposal to take fees for the trees which will be given on permits under these rules. The people of the forest villages are subject to considerable restrictions, and I think that they should get the timber which they require for house-building, &c., free of charge. It is proposed to stop the export of wood to marts such as Rawalpindi and Murree, except that which bears on it the mark used when timber is allowed to be cut for sale; and to this end check-posts will be established on the principal roads by the Forest Department.

I beg to return, with thanks, the files on this subject which were received from your office.

P. S.—The draft rules by the Legal Remembrancer received with your No. 6730, dated 1st November 1899, are re-submitted.

No. 108 G., dated 5th March 1900.

From—Lieutenant-Colonel F. W. Egerton, Deputy Commissioner, Rawalpindi,

To—The Commissioner and Superintendent, Rawalpindi Division.

I have the honor to submit, for your consideration, certain proposals which I think it would be well to consider before again embarking on the permit system, as is contemplated in the draft of bye-laws prepared by the Legal Remembrancer on the file.

Considering the permit system a most pernicious one which neither protects Government ncr satisfies the people, I have put forward proposals greatly modifying

that system, and I have added slips to the Legal Remembrancer's draft showing to what extent I propose to alter each rule if at all. The draft as modified by me shows clearly the system that I advocate. It does not profess to be a complete or perfect draft, but it clearly sets forth the principle that I would wish to see adopted. There are many modifications proposed by the Revenue Extra Assistant Commissioner and the Tahsildar, Rawalpindi, for instance that I propose to accept, but these are matters of detail in no way affecting the principle. Should that be accepted, I would have no difficulty, with the assistance of the Legal Remembrancer, in preparing a complete draft of bye-laws, for the sanction of Government and publication in the Gazette. I have called for opinions of certain officers on my proposals. The Deputy Conservator of Forests partly accepts my views, but has put forward an alternative scheme which I did not ask for, and to which in many particulars I cannot agree. I think it a pity to complicate the question by not adhering to the main issue.

The Revenue Extra Assistant Commissioner and the Tahsildar of Rawalpindi, you will see, strongly support my scheme in the main. The Tahsildars of Murree and Kahuta have not apparently understood the point at issue, and their reports therefore do not help towards the settlement of the question.

The former has apparently only read the scheme put forward by the Deputy Conservator of Forests, and has expressed no opinion on my proposals.

I have thought it better to send you my proposals thus in the rough, as I see no good in wasting time in the elaboration of the draft rules until I am assured that the principle advocated will have your support and that of the Financial Commissioner.

No. 390, dated Lahore, 18th July 1901.

From—A. H. Diack, Esquire, Revenue and Financial Secretary to Government, Punjab,

To—The Junior Secretary to the Financial Commissioner, Punjab.

With reference to the correspondence ending with your letter No. 336, dated 8th April 1901, on the subject of the rules for the preservation, reproduction and disposal of trees in the Unclassed State Forests of the Murree and Kahuta Tahsils of the Rawalpindi District, I am directed to forward a revised draft of the draft notification submitted with your letter. The revised draft has been prepared after consultation with the Legal Remembrancer, and I am to ask that the Financial Commissioner, after considering the following remarks, will state whether he thinks it may be adopted.

2. The chief alteration made in the revised draft is the omission of all references to the Forest Rules of 1855. The Lieutenant-Governor feels no hesitation in asserting the proprietary right of Government in all trees grown on the private lands described in paragraph 3 of your letter as well as in those grown in the *guzaras*. The title of Government to them was freely admitted up to the time when Mr. Robertson prepared his report on the forest settlement of the Murree and Kahuta Tahsils (see paragraph 6 of that document), and though the trees were not entered in the records as the property of Government, there has never been any express or implied abandonment by Government of its claim. And as there is no doubt as to the proprietary right, the Legal Remembrancer is of opinion that the proposed notification can only be issued under Section 75 (*c*), Act VII of 1878, inasmuch as the subject of the notification is a special one specially provided for by that clause. "The Rules of 1855," he writes, "no doubt constitute a special law for particular tracts of territory and would not be affected by the general provisions of the Act of 1878. But, on the other hand, trees belonging to Government but grown on land belonging to private persons are equally a special subject, and as that special subject is specially dealt with in the Act of 1878, it is to that Act, and that Act alone, that we must have regard when framing rules with respect to such trees and timber. In respect of such trees and timber the power of Government to make rules under the Rules of 1855, which are not only earlier in date but of a more general nature, has been impliedly abrogated by the special provisions of the later authority." The Lieutenant-Governor accepts this opinion, and the revised notification therefore cites only Section 75, clause (*c*), of the Indian Forest Act.

3. The Legal Remembrancer has pointed out that as under the above circumstances the rules are for the preservation, &c., of "trees and timber," any reference in them to "forest produce" is of doubtful legality except in so far as prohibitions in respect of forest produce may be necessary to secure the preservation of trees and timber. Several references to forest produ[illegible]

have accordingly been omitted in the revised notification, and the Legal Remembrancer has further suggested the entire omission of the provisos to Rules 4 (2) and 6 (2). The Lieutenant-Governor, however, is inclined to think that the provisos might stand as altered in the revised notification, and the opinion of the Financial Commissioner is invited as to this.

4. As the notification is to be issued under Section 75 (c) of the Forest Act, all references to "public reserves" or "public reserves under Rules 1 and 2 of the Rules of 1855" have been omitted.

5. The Legal Remembrancer is of opinion that Rule 8 as framed by the Financial Commissioner cannot be issued under Section 75 (c), Act VII of 1878, as the power given to the Local Government by that clause is not wide enough to cover all that is included in the Financial Commissioner's rule. Rule 8 in the revised draft notification is not, in the Lieutenant-Governor's opinion, open to this objection, and clause (2) of the Rule 8 proposed by the Financial Commissioner might, His Honor thinks, be made a rule of procedure under Rule 10 so far as it is consistent with the rest of the rules.

6. The minor alterations which have been made in the wording of the revised draft do not require detailed examination.

7. The proposed rules of procedure are approved by the Lieutenant-Governor. The system they introduce should go far to remove the grievances of the people.

8. I am to convey sanction to the entertainment, with effect from June 1st, 1899, of the two Girdawar Kanungos who have been employed as reported in your letter No. 356, dated 13th April 1901, to aid in carrying out the system pending the appointment of the Naib Tahsildars to whom the working of the Rules of Procedure will be entrusted. The cost of the Kanungo Establishment during the current year will be met by transfer from head 20—Police.

9. The Lieutenant-Governor will be prepared to sanction the appointment of a permanent Naib Tahsildar for the Murree Tahsil and a temporary Extra Naib Tahsildar for the Kahuta Tahsil on submission of the usual proposition and re-appropriation statements. His Honor, however, for the reasons given by Colonel Montgomery, thinks it will be best to charge no fees except on permits to fell trees for sale, and the income from fees cannot therefore be looked to to cover the cost of the additional Naib Tahsildars. The Kanungos whose employment has been sanctioned in the preceding paragraph will, it is noted, be brought under reduction when the Naib Tahsildars are appointed.

No. 234, dated Lahore, 19th March 1902.

From—R. Humphreys, Esquire, Senior Secretary to the Financial Commissioner, Punjab,

To—The Revenue and Financial Secretary to Government, Punjab.

In continuation of this office No. 1005, dated 27th November 1901, I am directed to forward the marginally noted correspondence† on the subject of the rules for the preservation, reproduction and disposal of trees in the unclassed State forests of the Murree and Kahuta Tahsils of the Rawalpindi District.

† Copy of this office No. 4670, dated 2nd August 1901.
Commissioner Rawalpindi's No. 3445, dated 2nd October 1901, and enclosures.
Commissioner Rawalpindi's No. 3828, dated 6th November 1901, and enclosures.

2. The proposal to abandon the distinction between *guzaras* and private land in the matter of breaking up land for cultivation suggested by Mr. Tupper‡ has been agreed to by the Commissioner subject to certain conditions. The Financial Commissioner considers that this change will greatly simplify both the rules themselves and their working. He agrees that new cultivation should be freely permitted where there are no trees or few trees, but has no doubt that the reference to "a manner calculated to cause injury to trees or timber" must be retained in order to bring the rule within Section 5 (c) of the Forest Act. The legal effect of retaining these words is to give just that freedom of cultivation

‡ Paragraph 4 of this office letter No. 4670, dated 2nd August 1901.

which Mr. Casson Walker desires, though doubtless the practice will be for the people to apply for permission in all cases. For these reasons Mr. Casson Walker's separate clause 3 (6) is unnecessary and cannot be passed.

3. I am to say that the Financial Commissioner accepts the rules of procedure as amended by the Commissioner *en bloc* (page 39 of printed Proceedings, Forests, for July 1901, File No. 24, which forms one of the enclosures to Commissioner's letter No. 3828, dated 6th November 1901). He considers that they will do all that is really necessary.

4. The suggestion that the second distinction between *guzaras* and private lands, *i.e.*, that on private lands fellings are prohibited except upon permission not of all trees but of certain specified kinds only should be abolished, is supported by the Commissioner, and the Financial Commissioner recommends the proposal for sanction.

5. The Financial Commissioner would propose the following alterations in the rules in order to bring them into agreement with the recommendations made in the foregoing paragraphs and to supply omissions :—

(*i*) Omit the Italic headings sub-dividing the rules into groups.

(*ii*) *Rule* 1.—Omit the words "Rules 5, 6 . . . . 10 extend."

(*iii*) *Rule* 3 (5).—Insert after " charcoal " the words " or bricks or surkhi.". . . *For* " which is the common property. . . property of Government " *substitute* " to which these rules extend."

(*iv*) *Rule* 4 (1).—Omit " the preceding rule is applicable," *substitute* " these rules extend."

(*v*) *Rule* 4 (2) (*a*).—Omit the word " dry " before " tree " in line 1 (line 2 as now printed).

For " other " in line 2 substitute " any."

(*vi*) *Rule* 4 (2), *Proviso.*—Omit the words " leaves, flowers and fruit."

(*vii*) Omit Rules 5 and 6 entirely.

(*viii*) Renumber Rule 7 as 5. Omit the words " or clause 1 of Rule 6" also in Rule 9 (old numbering).

(*ix*) Renumber Rules 8, 9 and 10 as 6, 7 and 8.

6. As regards Rule 8 (2) (old numbering), the Financial Commissioner admits that if it in its original form is not consistent with the Forest Act we should not have power to enact it as a rule of procedure. Mr. Estcourt has, however, prepared a revised draft of Rule 8 (2), and this Mr. Tupper would accept and insert in the procedure rules. He thinks it would be useful and would work well enough amongst the as yet unsophisticated hill tribes of the Murree and Kahuta Tahsils.

7. After considering what Mr. Walker has said with regard to Rule 10 (old numbering) and the rules of procedure framed under it, Mr. Tupper is still of opinion that the rules of procedure are better so than as forming an integral part of the rules themselves.

8. I am directed to call special attention to Mr. Tupper's view of the sound policy in the case which is expressed in paragraph 8 of this office letter No. 4670, dated 2nd August 1901, which forms one of the enclsures to this letter.

9. For facility of reference a copy of the amended draft rules has been altered in accordance with the foregoing and will be found on page 43 of Proceedings for July 1901, Forests, File No. 24, referred to in paragraph 3 of this letter.

No. 4670, dated 2nd August 1901.

From—M. S. D. BUTLER, Esquire, Junior Secretary to the Financial Commissioner, Punjab,

To—The Commissioner, Rawalpindi Division.

WITH your letter No. 106—J. VI-18, dated 7th September 1900, your submitted a final draft notification of the rules for the administration of the Murree and Kahuta Forests to be substituted for those published under Punjab Government Notification No. 335, dated 24th September 1889. This draft with the amendments shown in red ink (now shown

in the margin) on the printed copy, sent herewith, was submitted to Government with this office letter No. 336, dated 8th April 1901. The orders of Government have now been received in their letter No. 390, dated 18th July 1901, and a copy of the whole correspondence above referred to is forwarded herewith.

2. The alterations in the draft have been made by Government in unofficial consultation with the Financial Commissioner. He quite agrees that we may assume the trees everywhere to be the property of Government, and he is prepared to accept the revised draft, subject to the following remarks.

3. It was at first intended to allow fellings in private lands for domestic and agricultural purposes *without permits*, and in the case of these lands, to require permits only when fellings were made for sale, &c., Mr. Tupper, as Commissioner, put this arrangement in force, and it led to extensive fellings especially in Mauza Charihar near Murree, which ought to have been, but were not, checked by the Assistant Commissioner, Murree, Mr. Buck, and the Tahsildar, Ghulam Haidar.

4. Mr. Tupper then came to the conclusion that permits would be necessary in all cases. Thus one distinction between *guzaras* and private lands was given up. Now we are to give up another distinction, in that we are going to assume that the trees belong to Government on all lands, private or other. The remaining distinctions would thus appear to be that in private lands—

(1) there will be no restraint on breaking up lands for cultivation; and

(2) fellings are prohibited except upon permission, not of all trees, but of certain specified kinds only.

5. Mr. Tupper doubts whether it is worth while to maintain these distinctions and would like your opinion on the point. If this view is accepted we could, he thinks, shorten and simplify the draft very much by avoiding all the repetitions which were necessitated by the doubt about the trees on private lands.

6. The Financial Commissioner would also like your opinion as to whether we should give up the provisos in Rules 4 (2) and 6 (2) relating to forest produce, and thus allow its removal for sale.

7. Mr. Tupper would also like to know whether, as suggested by Government in paragraph 5 of their letter, clause (2) of Rule 8 as proposed by the Financial Commissioner and now deleted, should be made a rule of procedure, and if so, he would be glad if you would submit a new draft rule of procedure accordingly.

8. Mr. Tupper's general view is that so long as we effectively prevent extensive fellings for sale, the less we interfere with the people the better. We cannot interfere much in any case. The country is all up and down hill; travelling is at foot pace and often on foot only; we have little real command. A couple of Naib Tahsildars will not enable us to enforce rules that the people will not acquiesce in.

9. Finally I am to ask that the proposition and re-appropriation statements called for in paragraph 9 of the Government letter may be submitted. A copy of this office letter No. 356,* dated 13th April 1901, to which reference is made in paragraph 8 of that letter, is attached.

* Not printed.

No. 3445, dated Rawalpindi, 2nd October 1901.

From—G. Casson Walker, Esquire, Commissioner, Rawalpindi Division,

To—The Junior Secretary to the Financial Commissioner, Punjab.

I have the honour to acknowledge receipt of your letter No. 4670 of the 2nd August last, forwarding copy of the orders of Government on the subject of the rules for the administration of the Murree and Kahuta Forests.

2. I understand that the Financial Commissioner is not asking for any opinion on the draft rules as a whole, which it is stated in paragraph 2 of your letter have been made by Government in unofficial consultation with him, but invites suggestions on those points only which are noticed in paragraphs 4, 5 and 6.

3. As regards paragraph 4 (1), I think that the restraint on breaking up lands for cultivation provided in clause (5) of draft Rule 3, might be extended to the lands regulated by draft Rule 5, *provided that*—

(I) the provision restraining the breaking up lands were cut out from clause (5) and placed in a separate clause worded as follows:—

"(6) break up for extension of cultivation land in which trees are standing";

(II) a rule of procedure were made for the Forest officials embodying the instructions suggested in paragraph (6) of Colonel Montgomery's letter

No. 2221, dated 7th June 1900, printed among the proceedings which accompanied your letter.

4. As regards the suggestion (*b*) in your paragraph 4, I think the distinction there referred to might safely be given up. It is not one which people would be likely to remember or, if they remembered, would feel themselves safe in acting upon.

5. The provisions in the draft Rules 4 (2) and 6 (2) should be abandoned, I think, as regards leaves, flowers and fruit. They should perhaps be retained so far as timber is concerned.

6. Your paragraph 7 refers to paragraph 5 of the Government letter. In the latter the suggestion is made, I understand, that a provision, which would be *ultra vires* if drafted as a rule, might perhaps be brought into force under cover of a rule of procedure protected by draft Rule 1. I can only imagine the real meaning of the suggestion to have been that Rule 8 as drafted by the Local Government might perhaps be supported by a rule of procedure directing Forest officials to warn people to abstain, and to take such other measures as they found possible to prevent people from setting fire to forest produce, &c., in the close neighbourhood of forest land. Looking, however, to the actual wording of paragraph 5 in the Government letter and to paragraph 7 of your letter I can only answer that in my opinon clause (2) of the former draft Rule 8 could not rightly be made a rule of procedure enforceable by virtue of Rule 10. Might I also venture to suggest a doubt whether the present draft Rule 10 is in itself justifiable or necessary. My view is that any provision you wish to make enforceable by law must be such as you can *legally* frame in the form of a *rule*. Furthermore, I have always understood, rightly or wrongly, that the procedure, for which rules of guidance are sometimes made apart from rules of control framed under the enabling Act, is the procedure of the controlling officers and not of the public.

7. I submit copy of Deputy Commissioner Rawalpindi's letter No. 521 G., dated 20th September 1901, communicating his opinion on the questions raised in your letter, and enclose in original the draft rule of procedure which Mr. Estcourt considers might take the place of the former draft Rule 8 (2) as will be apparent from what is written above I do not agree. The proposition and re-appropriation statements called for in paragraph 9 of the Government letter and which have been prepared by the Deputy Commissioner are also enclosed.

No. 521 G., dated 20th September 1901.

From—E. A. ESTOOURT, Esquire Deputy Commissioner, Rawalpindi,

To—The Commissioner, Rawalpindi Division,

WITH reference to your No. 3070, dated 23rd August 1901, calling for an opinion on certain points mentioned in letter No. 4670, from the Junior Secretary to the Financial Commissioner, Punjab, to your address, dealing with the final draft notification of the rules for the administration of the Murree and Kahuta Forests, I have the honour to reply as follows.

2. Mr. Tupper has shown that it was necessary to give up the distinction between *guzaras* and private lands with regard to permits for felling trees and also in assuming that all trees on *guzaras* and private lands belonging to Government. I have consulted Mr. Gibson, the District Forest Officer, and we agree that it is not worth while nor advisable to maintain the other distinction referred to in the Financial Commissioner's paragraph 4. One of the chief reasons that induced us to give this opinion is that the breaking up of these private lands necessarily means an increase in the number of cattle and consequently necessity for increased grazing. The cattle in the Kahuta Tahsil have already increased during the last 20 years nearly 70 per cent., and zamindars even now have considerable difficulty with regard to grazing. Cultivation in the two tahsils would seem to be at present pushed as far as reasonably possible, and there would, I think, be no hardship in giving up this distinction. Further permission can always be given, when shown necessary, by the Deputy Commissioner. If this is accepted there would not be sufficient reason to maintain the small distinction mentioned in paragraph 4 (2), especially when it is already assumed that all trees belong to Government on "private lands." If these distinctions are thus given up the rules will need to be recast.

3. Presuming that the distinctions will be maintained, Mr. Gibson has pointed out that he would regret to see the *provisos* of 4 (2) and 6 (2) cnt out except that the words flowers and fruits could well be omitted, and in fact, that their inclusion would be a hardship which we ought not to insist upon. In this I agree with Mr. Gibson.

4. As regards the omission of Rule 8 (2), Mr. Gibson and myself both regret that this has been found necessary, as his experience shows that forest fires originate as a rule from lack of any precaution being made by persons when setting fire to grass or forest produce outside the forest. As this has, however, been found necessary it would seem doubtful if any rule of procedure under Rule 10 can legally be made, unless it could be considered as consistent with Rule 8 (1), and [illegible]

have drafted a rule of procedure accordingly. Other small points that have come to my notice are that in Rules 3 (5), 5 (*d*) and 6 (1) the words "bricks or surkhi" should be inserted after the words "lime or charcoal," also in Rule 6 (*h*) "shin" should be "sirin" and "phair" should be "khair" and I would also recommend that the "tut" or mulberry tree should be included.

5. The proposition and re-appropriation statements called for in paragraph 9 are submitted herewith.

Rule of Procedure in place of Rule 8 (2).

IV. Any person wishing between the first day of January and the fifteenth day of July (both days inclusive) in each year, to set fire to any tree, timber, forest produce or grass within a distance of three hundred yards of any forest land, waste land, or other area on which any forest subsists, shall give notice to the Deputy Commissioner or the District Forest Officer or Tahsildar of his intention at least seven days before carrying out his intention. On receipt of this notice intimation shall at once be given to the nearest Forest Officer who will see that all inflammable and combustible matter within a belt of not less than 20 feet in width all round the place where the fire is to be kindled has been cleared, and also that a sufficient number of persons are present within easy call to control the fire. The Forest Officer will also prevent any such fire being kindled, or if already kindled, being permitted to continue burning at any time when any strong wind is blowing in the direction of any forest land, waste land, or other area on which any forest subsists.

No. 3828—J. VI.-18, dated Rawalpindi, 6th November 1901.

From—G. CASSON WALKER, Esquire, Commissioner, Rawalpindi Division,
To—The Junior Secretary to the Financial Commissioner, Punjab.

WITH reference to your letter No. 6254 of the 24th ultimo, I have the honour to return the spare copy of the Murree and Kahuta Forest Rules after inserting therein in red ink the alterations (now shown in the margin). I would recommend with exclusive reference to the enquiries made in your office letter No. 4670 of the 2nd August.

I have also suggested some alterations in the draft of procedure rules exhibited at page 39 of the enlosed Proceedings.

No. 281, dated Lahore, 1st May 1902.

From—J. F. CONNOLLY, Esquire, Offg. Revenue and Financial Secretary to Government, Punjab,

To—The Conservator of Forests, Punjab.

I AM directed to forward the correspondence noted in the margin, * on the subject of the rules for the preservation reproduction and disposal of trees in the unclassed State forest of the Murree and Kahuta Tahsils of the Rawalpindi District, and, in inviting attention to the rules at pages 43 *et sequitor* of Punjab Government Proceedings for July 1901 Nos. 32—64, to say that the Lieutenant-Governor will be obliged if you will favour him with any remarks you may wish to offer in regard to them.

* Senior Secretary to Financial Commissioner's No. 234, dated 19th March 1902, with enclosures (in original to be returned).

No. 43 C., dated Camp, 2nd June 1902.

From—F. B. BRYANT, Esquire, Conservator of Forests, Punjab,

To—The Revenue and Financial Secretary to Government, Punjab.

I HAVE the honour to acknowledge the receipt of your letter No. 281, dated 1st May last, forwarding for opinion the proposed revised rules for the preservation, reproduction and disposal of trees in the unclassed State forests of the Murree and Kahuta Tahsils of the Rawalpindi District. After consulting the Forest Officer in charge of the Rawalpindi Division I beg to offer the following remarks.

2. In Rule 4 (2) (*a*) I would reserve the following species in addition to *chir* and *biar* : *barungi, rhui, sissu* or *tali, kangar* and *tun*. I am informed by M. Hoghton, Deputy Conservator of Forests, in charge Rawalpindi, that in many parts of the forest and other lands to which these rules extend chir or biar trees do not exist, and that the people living in places, where this is the case are entirely dependent on one or more of the species above noted for timber for house-building. Under these circumstances, it would be well in order to guard against a scarcity of building timber to add them to the list of trees which may not be felled or removed without permission.

3. I think the Forest Officer should have a voice in the issue of permits under rule 5. He would generally be able to usefully advise the Deputy Commissioner as to the desirability of issuing permits for cutting timber for sale from out-of-the-way places, and also as to the price that should properly be charged. No doubt as a rule the Deputy Commissioner would consult the Forest Officer before issuing a permit, but it would be well to make it clear in the rules that he should do so. To Rule 5 (4) I would add "and no permit for purposes of sale shall be issued except in consultation with the Forest Officer."

4. I have no further remarks to offer on the rules which appear to me to be suitable. The important point is to prevent the people from selling the timber without permission, and this is properly provided for.

5. The correspondence forwarded with your letter under reply is herewith returned.

No. 438, dated Lahore, 16th July 1902.

From—J. F. Connolly, Esquire, Offg. Revenue and Financial Secretary to Government, Punjab,

To—The Senior Secretary to the Financial Commissioner, Punjab.

I am directed to invite attention to your office letter No. 234, dated 19th March 1902, on the subject of rules for the preservation, reproduction and disposal of trees in the unclassed State forests of the Murree and Kahuta Tahsils of the Rawalpindi District, and, with reference to the rule of procedure discussed in paragraph 6 of that letter, to submit an opinion of the Legal Remembrancer, holding it to be illegal.

Having regard to that opinion I am to ask that you will reconsider the matter, and decide in consultation with the Legal Remembrancer whether some legal rule cannot be drafted to regulate the firing of grass in the vicinity of the forests in question with a view to protecting them from injury.

Opinion.

I am of opinion that the rule of procedure drafted by the Deputy Commissioner is illegal.

I do not understand how Rule 8, by virtue of which it is to be made, is itself legal. It purports to be made under Section 75 (c) which gives power to the Local Government to make rules, but does not give the Local Government power to delegate its authority to the Deputy Commissioner.

But even if it be legal and the Deputy Commissioner might be so empowered, the rules of procedure he makes if approved by the Commissioner and not inconsistent with the rules are to be deemed to be part and parcel of the rules and *as such* enforceable by law.

It is therefore clear that before a rule of procedure under this rule could possibly be so deemed, it must be one such as might legally be made a rule itself. In its former shape it was, as I understand, accepted that it could not be included in the rules. The reason was that it dealt with areas outside the property of Government and also interfered with the use of his property by an individual, the act in question being one that was not in itself illegal. A man may ordinarily with and on his own property use it as he pleases, and though if he so uses it as to injure others, he can be restrained from continuing so to use it by injunction, or be made to pay damages for the injury caused; that is quite a different matter from the assumption of a power to interfere with his legal rights, and, unless the Act expressly gives the Local Government that power, it cannot do so.

In the form in which it is now drafted the person in question is still to be required to give notice at least seven days before lighting a fire within 300 yards and for the rest the change is principally to make the Forest official take the place of that person in clearing a belt of 20 feet and having persons near at hand in case of need, and so on.

Such provisions would very appropriately find a place in departmental instructions issued for the guidance of officers, but by virtue of

to be enforceable. As rules, as they cannot legally be made rules, they cannot be legally enforced *as such* because they are made rules of procedure.

In arriving at the above opinion I have not omitted to consider that Section 75 (*c*) gives the Local Government power to frame rules for the preservation of trees belonging to Government, but grown on lands belonging to private persons. The power given is very wide, but such a power authorising the making of certain acts penal and punishable must be construed strictly against the authority and in favour of the subject. While such a power may authorize the forbidding a man to light a fire on his own land immediately under a tree, the property of Government, it is a very different thing where he is forbidden to do so 300 yards away except under certain conditions.

S. M. ROBINSON,

The 6th May 1902. *Legal Remembrancer, Punjab*

No. 854, dated Lahore, 1st December 1902.

From—R. Humphreys, Esquire, Senior Secretary to the Financial Commissioner, Punjab,

To—The Offg. Revenue and Financial Secretary to Government, Punjab.

With reference to your letter No. 438, dated the 16th July 1902, asking for the submission of some legal rule to regulate the firing of grass in the vicinity of the unclassed State forests of the Murree and Kahuta Tahsils of the Rawalpindi District, I am directed to submit a revised draft of the rules which has been prepared in consultation with the Legal Remembrancer, and to convey the following remarks of the Financial Commissioner.

2. The chief points that remained for settlement were (1) the control of grass fires which might injure the forests, and (2) the inclusion or exclusion of the procedure rules in the rules framed by the Local Government.

3. As to the second point, the rules are made under the provisions of Section 75 (*c*) of the Act, which gives power to make rules for the protection of timber and trees belonging to Government, but grown on lands belonging to or in the occupation of private persons. The local extent of the rules is given in Rule 1, and is in fact all land in the Murree and Kahuta Tahsils other than reserved and protected forests, and Municipal and Cantonment areas. The section does not give power to take order for the protection of reserved or protected forests against fires lit outside them. If such protection be deemed necessary, in addition to that already afforded by Sections 25 and 32 (as amended by Act V of 1901) of the Act, the strictly legal course would be to take action under Section 25 (*b*) and Section 31. But under Section 75 (*c*) we can frame a rule for the protection of Government trees and timber against fires lit in their vicinity on the lands to which the rules apply; and such a rule has now been drafted and will be found as No. 10 in the revised draft now submitted. Looking to the extent of the rules, this will practically do all that is necessary; because it may be generally assumed that grass firing in the neigbourhood of reserved or protected forests would, as a fact, be covered by the rules.

4. As regards the legality of having rules of procedure framed by the Deputy Commissioner and approved by the Commissioner of the Division the Financial Commissioner has reconsidered the question, and thinks that it is the safest course to incorporate the rules of procedure in the rules themselves making the necessary verbal alterations. The only objection to this arrangement is that the procedure rules so incorporated cannot be altered without the sanction of Government. But this is a lesser inconvenience than the risk of local measures being upset by decisions of the local courts. The note to the previous rule of procedure No. 2 has also been made an integral part of the rule to which it belongs.

5. The only other alteration which has been made is the restoration of the word "dry" before "tree" in Rule 4 (2) (*a*) which appears to have been cut out before by a mistake; for Rule 4 (1) provides that permits are required for fellings for domestic or agricultural purposes, subject to the exceptions made in Rule 4 (2). If the exceptions are made to cover all green trees except *chir*

or *biar* this rule would be stultified, and we should revert to the position of fellings without permission which it has been found to be inadvisable to allow.

6. In conclusion, I am to say that the rules, as now submitted, have been scrutinised by the Legal Remembrancer and are in his opinion legally correct and in proper form. I am therefore to request that they may be approved and published by Government.

GAZETTE NOTIFICATION.

The 9th February 1903.

No. 66.—*Notification.*—In exercise of the powers conferred by clause (*c*) of Section 75 of the Indian Forest Act, 1878, the Hon'ble the Lieutenant-Governor is pleased to make the following rules for the preservation, reproduction and disposal of trees and timber within forest lands, waste lands and other lands (all areas being excepted which are, for the time being, reserved forests or protected forests respectively, or are included within the limits of any Municipality or Cantonment) situate within the limits of the Murree and Kahuta Tahsils of the district of Rawalpindi.

2. The rules published with Notification No. 335, dated the 24th September 1889, and the rules for the conservancy of trees and brushwood in the hilly and mountainous portions of the Rawalpindi District, sanctioned in the letter of the Chief Commissioner, No. 1623, dated the 4th August 1856, respectively are hereby cancelled.

MURREE AND KAHUTA FOREST CONSERVANCY RULES, 1902.

1. These rules extend to all forest lands and waste lands (other than areas which are or may at any time hereafter be constituted reserved forests under Chapter II, or protected forests under Chapter IV of the Indian Forest Act, 1878, or areas at any time included within the limits of any Municipality or Cantonment) situate within the limits of the Murree and Kahuta Tahsils of the district of Rawalpindi, and to all other lands whatsoever occupied or let for agricultural purposes, or for purposes subservient to agriculture or for pasture, situate within the same limits.

2. In these rules, unless a different intention appears from the subject or context—

(*a*) the expressions "trees," "timber," "forest produce" and "cattle," respectively, shall possess the meanings severally assigned to them by the Indian Forest Act, VII of 1878;

(*b*) the expression "estate" shall have the meaning assigned to it in Section 3 of the Punjab Land Revenue Act, 1887; and

(*c*) the expression "Deputy Commissioner" means the Deputy Commissioner for the time being of the district of Rawalpindi, and includes any officer at any time appointed by him to discharge all or any of the functions by these rules assigned to the Deputy Commissioner.

3. No person shall, otherwise than as provided in the rule next following at any time for any purpose whatsoever—

(1) fell, girdle, lop, tap or burn any tree;

(2) strip off the bark or leaves from or otherwise damage or destroy any tree;

(3) fell any tree or drag any timber so as to damage or destroy any tree;

(4) permit any cattle to damage any tree;

(5) burn lime or charcoal or bricks or surkhi or break up land for extending cultivation, in a manner calculated to cause injury to trees or timber;

(6) cause or permit any other person to commit, or otherwise abet any person in the commission of, any act hereinbefore specified,

within, or shall remove, or cause or permit any other person to remove, or shall in any manner abet the removal by any person of, any tree or timber from any forest land, waste land or any other land to which these rules extend.

4. (1) If any person at any time desires within the limits of any land to which these rules extend to fell or remove or both to fell and remove, any tree or timber (other than as provided in the clause next following) for use by him for any domestic or agricultural purpose within the estate within the limits of which such land is situate [illegible] extending cultivation [illegible]

Deputy Commissioner (in the manner from time to time prescribed by the Deputy Commissioner in that behalf) for the grant of a permit under Rule 6, and shall abstain from proceeding to fell or remove any such tree or timber or to break up land for cultivation, as the case may be, until he shall have received such permit, and if any such permits be granted, shall act in strict accordance with, and subject to, the terms and conditions thereof, and not otherwise.

(2) The following acts on lands to which Rule 3 is applicable are exempt from the provisions of Rule 3 and clause (1) of this rule :—

(*a*) the felling or removal, or both the felling and removal, of any dry tree (other than a standing *chir* or *biar* tree) or any dry timber, required for ordinary domestic or agricultural purposes, or for the cremation of the dead, or for the manufacture of agricultural implements;

(*b*) the cutting and removal of grass and fruits of all kinds and species;

(*c*) the removal of fallen pine-needles;

(*d*) the lopping of any tree, whose shade is detrimental to the growth of field crops growing under or adjacent to such tree, of its side branches, up to one-half of the height of the tree above ground :

Provided that any timber, obtained by any of the foregoing acts, shall only be used for ordinary domestic or agricultural purposes and not for sale or any other purpose;

(*e*) the lopping of leaves for fodder for cattle from such trees and at such seasons as may be prescribed by the Deputy Commissioner from time to time in that behalf.

5. The Deputy Commissioner shall cause lists to be prepared in every village or abadi to which these rules apply, in which will be entered in a printed form, supplied for that purpose, the names of persons desiring permits under clause (1) of Rule 4 for the purposes therein specified.

6. (1) The Deputy Commissioner may from time to time, as occasion may require, grant permits, under clause (1) of Rule 4, for the purposes therein respectively specified, to any persons whom he may consider entitled thereto.

(2) Applications for permits to break up land for extension of cultivation will be granted readily where the trees standing on it are not numerous and the ground is sufficiently level to give hopes of good crops being raised.

(3) The Deputy Commissioner may from time to time prescribe the fees to be paid and the conditions to be observed by persons to whom permits may at any time be granted under this rule for purposes of sale.

(4) Every permit at any time granted under this rule shall be in writing on a printed form, and shall contain the following particulars, namely :—

(*a*) if the permit is for purposes of sale, the fees or payments to be made in respect of such permit, and the time when and the manner in which such payment is to be made;

(*b*) the description and quantity of trees or timber granted, and the purpose for which they are granted;

(*c*) the conditions subject to which the permit is granted;

(*d*) the period for which such permit is to remain in force;

(*e*) the date on which such permit is granted;

(*f*) the signature and official designation of the officer by whom such permit is granted.

(5) It shall be in the absolute discretion of the Deputy Commissioner to grant or (without assigning any reason) refuse any permit at any time applied for.

7. Every such permit for the felling or removal of a tree shall be subject to the following two conditions :—(1) that every such tree shall be felled and converted into beams, scantlings, planks or other description of timber within three months of date of hammer-marking as in the next rule following provided, unless specially exempted from this rule by order of the Deputy Commissioner in writing, and (2) that any beams, scantlings, planks or other description of timber sold by the permit-holder under any rule or used by him for any other purpose than that indented for, or not used for the purpose for which allowed, within the time prescribed, shall be deemed Government property and may be dealt with in such manner as the Deputy Commissioner may direct.

8. The Deputy Commissioner shall once or twice annually, according to the accessibility of the village or abadi and the nature of its requirements, depute an officer or officers not under the rank of Naib Tahsildar, who shall, in company with a Forest Officer to be deputed by the Forest Department, visit every village or abadi to which these rules apply,

and shall proceed to scrutinise the lists prepared in accordance with Rule 5 and hammer-mark the trees to be felled after grant of permits, in which shall be entered the date of branding and the quantity and description of the timber branded under siguature of the officer granting the permit according to the legitimate wants of applicants, and having regard to these rules. The trees having been hammer-marked, it will be the duty of the Naib Tahsildar to re-visit the said village or abadi at an interval of not less than three months, and he shall then mark the scantlings into which the felled trees have been sawn up. On the occasion of such second visit the Naib Tahsildar shall collect the permits and shall report for orders of the Deputy Commissioner any case in which the conditions of the permit have been infringed.

9. The trees which shall be hammer-marked under Rules 8 shall include *deodar, chir, biar, tali, tun, shin, barunyi, kangar, khai, phulahi* and *khair*, and no person shall be granted from lands to which these rules apply more than three *chir* or three *biar* trees within a period of three years.

10. No person shall, within the limits of any forest land, waste land or other land to which these rules apply, at any time—

(*a*) set fire, or cause or permit any other person to set fire to any trees or timber belonging to Goverenment, or

(*b*) negligently permit any fire to spread or extend, or

(*c*) set fire or cause or permit any other person to set fire to any forest produce or grass the combustion of which is likely to cause injury to such trees or timber without giving notice of his desire so to do to the Deputy Commissioner or the District Forest Officer or Tahsildar and obtaining the permission in writing of such officer, and then only subject to such conditions, restrictions and precautions as that officer may impose.

11. Every general order or direction which the Deputy Commissioner proposes to give as to the officers to whom, and the manner in which, applications for permits under clause (1) of Rule 4 shall be made, and the time of year at which they shall be made, and the conditions and payments, respectively, subject to which permits may be granted under Rule 6, shall be submitted to the Commissioner of the Rawalpindi Division for his approval, and no such order or direction shall take effect until it has been approved by that officer.

Endorsement by the Punjab Government.

No. 67, dated 9th February 1903.

COPY forwarded to the Senior Secretary to the Financial Commissioner, Punjab, for information, with reference to the correspondence ending with his letter No. 854, dated the 1st of December 1902. It is requested that the local officers may now be directed to bring the rules into force.

2. With reference to Rule 6 of these rules, the undersigned is desired to observe that it is understood that the Deputy Commissioner of Rawalpindi will be instructed not to grant too freely permission to fell for building purposes, in localities where species of trees suitable for such purposes are or are likely to become scarce.

No. 68.

COPY forwarded to the Conservator of Forests, Punjab, for information, with reference to his letter No. 43 C., dated the 2nd of June 1902.

2. As regards paragraph 2 of that letter, the undersigned is directed to invite attention to Rule 4 (2) (*a*) as now drafted, and to say that the Deputy Commissioner of Rawalpindi will be instructed not to grant too freely permission to fell for building purposes, in localities where species of trees suitable for such purposes are or are likely to become scarce.

3. As to paragraph 3 of the same letter, the undersigned is to state that the Lieutenant-Governor has not been able to accept the suggestion therein made, as it is desirable that the Deputy Commissioner should have a free hand in managing the forests in question, though that officer will no doubt consult the Forest Officer, if he proposes to allow extensive fellings for sale. Further, it is not desirable that a Deputy Commissioner should be bound by a rule having the force of law to consult an officer who is, in this matter, his assistant.

No. 32, dated Lahore, 15th January 1907.

From—R. C. Bolster, Esquire, Junior Secretary to the Financial Commissioner, Punjab,

To—The Offg. Chief Secretary to Government, Punjab.

I am directed to submit, with the following remarks of the Financial Commissioner, Commissioner Rawalpindi's letter No. 2743, dated 20th October 1906, with enclosures, in original, on the subject of the Murree and Kahuta forest *guzara* rules. Appendix A to Mr. Kitchin's report is not submitted as it is already in print (Punjab Government notification No. 66, dated 9th February 1903). For Mr. Kitchin's appendix B should be substituted the draft as amended in antique type in the copy of Proceedings (Forest Department) for February 1903, pages 4-7, this being the final draft put forward by the Commissioner and Settlement Officer.

2. Before proceeding to deal finally with the proposals now before him, Mr. Gordon Walker thinks it is essential to obtain the orders of Government on the two very important questions raised by Mr. Kitchin in paragraphs 3 and 4 of his report.

3. As regards the first of these questions Mr. Gordon Walker thinks that it has been fully established that there was no deliberate intention to apply the rules to the plains portion of the Kahuta tahsil. In parapraph 3 of his report Mr. Kitchin has gone fully into this point, and it is unnecessary to repeat his examination of the previous correspondence on the subject. The inclusion of the Kallar Kahuta assessment circle was, it seems to the Financial Commissioner, clearly due to an oversight, and the mistake must now be put right. The exception to be made in the case of *chir* trees (paragraph 6 of the report) should be noted. The Financial Commissioner agrees with the Settlement Officer that these are the property of Government and should be protected.

4. As regards the second point also Mr. Gordon Walker has no doubt that the intention was that the rules of 1903 should be applicable only to trees which are ordinarily of spontaneous growth. It is unnecessary at this stage to discuss the proposed list of trees given in the draft notification or the recommendation (paragraph 9, rule 3, of the report) that *rhin* and *phulahi* should be excluded. There is, of course, the difficulty noticed at the conclusion of paragraph 4 of the report about trees which are ordinarily of spontaneous growth but may also be produced by planting. Mr. Gordon Walker thinks that this difficulty can be got over in the way suggested by the Commissioner in his marginal note if the trees to which the rules are applicable be specified and the expression "spontaneous growth" be avoided.

5. If Government is prepared to accept the Financial Commissioner's views on these two points, the proposed rules will be examined in consultation with the Legal Remembrancer and the Conservator and a final draft will be submitted.

6. I am to add that it will be convenient if the present correspondence is printed.

No. 2743, dated Rawalpindi, 20th October 1906.

From—M. W. Fenton, Esquire, Commissioner, Rawalpindi Division,

To—The Senior Secretary to the Financial Commissioner, Punjab.

With reference to paragraphs VIII and IX of Mr. Kitchin's report on forest matters in Rawalpindi which was one of the enclosures of your letter No. 297 S., dated 22nd July 1905, to the address of Government, I have the honour to submit Settlement Officer's further report on the matters therein referred to, *viz.*, the Murree and Kahuta *guzara* rules.

2. Mr. Kitchin submits a revised set of rules under section 75, Forest Act, to take the place of the rules of 1903. I now enclose a printed copy of Punjab Government Proceedings, Forest Department, Nos. 5-9 A, of February 1903, in which I have shown in antique type the alterations now proposed in the rules published in Punjab Government notification No. 66 of 9th February 1903. These alterations were drafted by Mr. Kitchin

in consultation with me. The reasons for them are given in the enclosed report. They have my support, and I have nothing to add by way of explanation.

3. With reference to the last paragraph of Mr. Kitchin's report, whatever executive instructions it may be necessary to issue, if and when the revised rules now submitted are sanctioned, can be considered in communication with the Conservator of Forests on the appearance of the notification gazetting the revision of the rules.

No. 1518, dated 10th October 1906.

From—A. J. W. KITCHIN, Esquire, Settlement Officer, Rawalpindi,

To—The Commissioner, Rawalpindi Division.

I SEND herewith a report on the existing *guzara* rules of tahsils Murree and Kahuta.

Report on the rules for the preservation of trees and timber on private lands in the Murree and Kahuta tahsils.

Preliminary.

1. In my letter No. 557, dated 9th April 1905, to the Settlement Commissioner, I represented certain matters in connection with the forest administration of the Murree and Kahuta forests of the Rawalpindi district which in my opinion deserved consideration and enquiry. In paragraphs VIII and IX I referred to the rules for the preservation of timber in the village *guzaras* and unclassed forests, and in paragraph XIII I stated my opinion that reconsideration of the existing rules is necessary. The proposal for an enquiry was sanctioned by Government, and the present report is one of several reports submitted in compliance with those orders.

Existing rules.

2. The existing rules for the preservation of trees and timber on lands owned by private persons in the Murree and Kahuta tahsils were published by *Punjab Gazette* notification No. 66, dated 9th February 1903, a copy of which for convenience of reference I attach to this report as appendix A. The question of the revision of the rules made at last settlement was raised by Mr. Wilson, Deputy Commissioner of Rawalpindi, in his letter No. 287 G., dated 21st July 1898, which is on the printed file of Government Proceedings for July 1901. In his letter Mr. Wilson gives an account of all previous rules for the preservation of timber in these tahsils, and I can add nothing to his exhaustive account of the history of the rules. I would, however, note that the Government of India rules of 1855 and the Commissioner's rules of 1856, quoted by him, are given *in extenso*, at pages 1395 *et sequentes* of the printed volume of selections of papers relating to the rights of Government in waste lands in the Rawalpindi district, compiled in the Financial Commissioner's office in 1892. The present rules of 1903 are the result of the action taken on Mr. Wilson's reference made in 1898, though the rules sanctioned bear no reference whatever to the proposals made by Mr. Wilson. In paragraph IX of my preliminary report I stated my opinion that the new rules were, in my opinion, illegal and that they were cruel and harsh. On these points my former opinion is unchanged, and I now proceed to attempt to justify the use of such terms as applied to the rules of 1903.

The illegality of the rules of 1903, Kallar Kahuta assessment circle.

3. The rules published with *Punjab Gazette* notification No. 66, dated 9th February 1903, are issued in exercise of the powers conferred on the Local Government by clause (*c*) of Section 75 of the Indian Forest Act of 1878. That clause gives to the Local Government the power to make rules "for the preservation, reproduction and disposal of trees and timber belonging to Government, but grown on lands belonging to or in the occupation of private persons." It follows that all rules relating to trees and timber which do not belong to Government are *ultra vires* and illegal. It is my contention that the Government does not own all the trees and timber referred to in the rules of 1903. Briefly, I contend that the Government does not own trees and timber in the Kallar Kahuta assessment circle of the Kahuta Tahsil, with a small exception, which will be referred to later on, and that it does not own any trees in any part of the two tahsils which are not of spontaneous growth.

A reference to the rules of 1856 will show that Government only claimed to own trees of spontaneous growth in the hilly and mountainous portion of the Rawalpindi district. I will return to the question of trees of spontaneous growth in a later paragraph and will first discuss what is meant by the hilly and mountainous portion of the Rawalpindi district. From 1856 up to last settlement there was no express statement as regards these tahsils, the tracts to which the rules of 1856 applied

settlement the question of the extent of the application of the rules was raised and decided. I would refer to the printed correspondence of Mr. Robertson's forest settlement. In paragraph 6 of his report he refers to the tahsil of Murree and to the hill tracts of Kahuta. In his "note on the forest settlement of tahsils Murree and Kahuta," he refers to the fact that the Kallar circle is exempt. In his draft notification for private lands attached to that note he expressly extends his proposed rules only to the Pahar and Kahru assessment circles. This draft was not sanctioned, and the above references only, show Mr. Robertson's own intentions. The exclusion of the Kallar Kahuta circle has however, received the express sanction of Government. The final proposals for the Murree-Kahuta forest settlement are contained in Colonel Wace's "Final Recommendations." In paragraph 13 he asks Government to consent "to our recording (*i*) the waste now included in village bounds in tahsil Murree and in the *mountain portion* of Kahuta as owned by the village proprietary body, and (*ii*) the forest and trees growing thereon as owned by the State." Whatever doubt may remain is set at rest by paragraph 15 of the same note, which I quote in full:—"To the exclusion of the plains portion of tahsil Kahuta (commonly known as the Kallar assessment circle) from the proposed measures, there is no objection. It has been understood all along that this was so." The orders of Government are contained in Government letter No. 218, dated 20th May 1886 (pages 1538, *et sequentes* of the volume of selections). In this letter Colonel Wace's proposals are sanctioned, and it is expressly stated that the rules extend to Murree and Hill Kahuta. In accordance with these orders, entries were made in the administration papers of all villages in tahsil Murree and in the Pahar and Kahru assessment circles of Kahuta, claiming the forest trees on waste lands for Government. Mr. Robertson's rules for the preservation of the tree, (*vide Punjab Gazette* notification No. 335, dated 24th September 1889, and pages 25 and 26 of the Punjab Forest Rules) apply only to the unclassed State forests of the Murree and Kahuta tahsils, *i. e.*, do not apply to the Kallar Kahuta circle where there are no unclassed State forests.

In practice, from last settlement onwards the forest rules did not apply to the Kallar Kahuta assessment circle. At the beginning of the correspondence which began with Mr. Wilson's letter of 1898, for the alteration of Mr. Robertson's rules, it was made quite clear that the new rules would not apply to the Kallar Kahuta assessment circle. In the first drafts made by the Legal Remembrancer the Kallar Kahuta circle was explicitly or impliedly exempt. Not till 1900 (page 35 of the printed papers) do we find a draft in which the exclusion of Kallar Kahuta had escaped attention. After this there is no more mention of Kallar Kahuta, but much discussion on legal points, and in the final rules of 1903 the Government claims to own all the trees in the Kallar Kahuta assessment circle and makes rules for their preservation. The Government does not own the trees in the Kallar Kahuta assessment circle and until the rules of 1903 has never claimed to own them, and moreover in the final orders on Mr. Robeston's settlement quoted above expressly disclaimed their ownership. On this point I would submit that the rules of 1903 are illegal, and that any court to which the facts were represented would find the rules to be illegal, in so far as they imposed restrictions on the dealing with trees which do not belong to Government.

Illegality continued. Planted trees.

4. The next point in connection with the legality of the 1903 rules is the implied claim now made by Government to be owner of all trees in the two tahsils, whether the trees be of spontaneous growth or not. The Government now claims to own the lilacs in the villages, the mangoes, pear and other fruit trees in the fields, as well as the oak, fir, pine and all forest trees. In the 1856 rules the Government title is only asserted to trees of spontaneous growth. After that I can find no explicit reference in rules and correspondence to spontaneous, as opposed to planted trees, but it is the fact that since annexation the Government has never attempted to interfere with planted trees, and that the title of the zamindars to own trees that they themselves have planted or grafted has never been disputed until the rules of 1903. In paragraph 3 of Mr. Wilson's letter referred to above he gives an otherwise correct translation of the clause in the village administration papers regarding the Government rights in trees. He has, however, omitted a single word, which appears in all the records-of-rights; it is the word "spontaneous" (khud-rau). The Government recorded a claim only to trees of spontaneous growth. The same intention seems to underlie all the correspondence at last settlement and the early correspondence which ended in the rules of 1903. I can hardly believe that Government will seriously put up a claim to own all the thousands of fruit trees which cover the village lands, most of which have been planted since annexation, nor to own the trees which men plant in the compounds of their houses or on the banks of their fields. In my new proposed draft of rules I have assumed that no such claim will be set up, and if any such claim were again repeated, I have little doubt that a court of law would feel little hesitation in deciding that Government did not own such trees and had no power to make rules regarding them. Even the legal presumption in favour of the correctness of such a claim could be rebutted by proof that no such claim had ever been explicitly made before, still less had been acknowledged, and that the uniform practice of the past has not been to interfere which such trees. On this point, however, I have decided to exclude, in my

proposals, all trees which ordinarily are not spontaneous, and to include in the rules all trees which, though sometimes planted, are ordinarily spontaneous. This will avoid the possibility of disputes in courts of law as to whether any particular tree, which may form the subject of a criminal charge, is really of spontaneous growth or not. On the other hand, should it be considered that Government has no rights to any tree not of spontaneous growth, and that rules as regards any such tree would be *ultra vires*, the new proposed draft must be corrected accordingly.

The term spontaneous growth would be a fertile source of disputes and litigation. Accordingly in discussing the draft of the rules Mr. Kitchin and I came to the conclusion that we should avoid using it

M. W. FENTON.

Harshness of the 1903 rules.

5. There is some reason to believe from the printed correspondence that the new rules of 1903 were intended to satisfy the legitimate complaints of zamindars, and that there was some idea that they would be grateful for concessions made. How terribly wrong this idea was and how real are the annoyances which the zamindars suffer can be partly realised by examining the rules, but can only be understood by those who move among the people and try to understand something of their wants and of their feelings. In the correspondence which ended in the 1903 rules I can find no reference to the corresponding rules which govern the rights of zamindars in protected forests, and it is very instructive to make the comparison. These rules will be found on pages 8 and 9 of the Punjab Forest Rules. It will appear from them that any right-holder can take from a protected forest any wood he pleases, except deodar and biar, for agricultural or domestic purposes, without leave or license from any one. As to the excepted trees, deodar grows only as a planted tree in a few gardens and plantations and biar is found only near Murree. All other wood can be taken freely. Compare with this permission the rights enjoyed in the village land. No person can cut any tree or brushwood whatever without permission, not even the fruit tree which he grafted himself, or the trees which grow in the compound and shade his house. He cannot cut firewood, or mend his plough, or make his scanty furniture, or get any wood at all for any purpose whatever without applying for permission. If he does apply for permission, he can only be supplied with the trees detailed in paragraph 9 of the rules, and no other tree, however worthless, can be got at all. In the hills the plough breaks almost daily, the snow crushes down the roof, but the zamindar can get no help. If such rules were obeyed, agriculture would be impossible and life a constant burden. They are not obeyed. Wood must be cut and the fires must be lit, so the people break the rules daily, paying blackmail to the subordinates who would otherwise report them.

In the Kallar Kahuta circle the rules are especially harsh, for there are no protected forests from which wood can be gathered without leave, and if agriculture goes on at all, it is only because there are no subordinates to enforce the rules and because the district administration of the rules of 1903 has always been far more sympathetic than the rules which they enforce. I am emboldened to represent the matter strongly because I am certain that no one understood how hardly the rules would press on the people and that their grievances have only to be stated to be redressed.

Chir trees in the Kallar Kahuta assessment circle.

6. In paragraph 3 above I have tried to prove that the Government does not own the trees in the Kallar Kahuta circle and has no right to legislate about them. To this general statement there is an exception. There are a few villages east of Kahuta itself and bordering on the Kahru assessment circle where there is a good growth of chir pine in the village lands. No zamindar ever claims to own pines or firs, and it is admitted that these trees do belong to Government and the Government title to them has always been asserted in practice, though not in theory. These chir trees should be protected as they have been protected in the past. In the draft rules which I have drawn up I have tried to provide for this, without interfering with other trees in the Kallar Kahuta circle.

Cultivation of common lands in Murree and Kahuta.

7. I have referred to this subject in paragraph VIII of my preliminary report. I cannot add anything to what has been said there. I did not find myself able, in submitting assessment proposals for these two tahsils, to propose a penal assessment on newly broke up guzara lands. I believe such a proposal was actually raised in Hazara and dropped as impracticable. Criminal prosecutions for breaking up land are very numerous and give much trouble, but I cannot suggest an alternative. Since the limitation by the 1903 rules of the prohibition of cultivation to cases in which damage is done to trees or timber, it has been more difficult to get convictions than under the old rules, but I do not propose any alteration. When the whole agricultural population is bent on defying the law it is difficult to enforce the law, however much the sense of the people may endorse the necessity for the law. That cultivation will go on is certain, but it cannot be stopped and is the fault of the people. It is sufficient for the administration to have the power to punish such offences, when complaints are lodged and they are brought to light.

8. I would here invite attention to Mr. Robertson's intentions with reference to the rights of zamindars on village lands. I could refer to individual passages, but prefer to refer to his intentions as apparent in the whole correspondence. He intended that, in consideration to the restrictions imposed on reserved and protected forests, the people should be left so far as possible to themselves to manage the village timber and grazing. The rules relating to village lands are, of course, not part of the forest settlement, but the policy shown in the treatment of the village lands, in its reference to provision for the agricultural and grazing needs of zamindars, is, and must be, a very material factor in influencing the proposals of the Settlement Officer for restricting rights in forest lands. If Mr. Robertson had known that the rights of the people in their guzara lands would be whittled down until they were, in some respects, less than their rights in protected forests, I venture to assert that his demarcation of forests and statement of rights would have been very different from that actually decided. The people referring to the assurances given at settlement, believe that they have been the victims of a breach of faith, and admitting that their treatment has been legal, which however I do not, entirely admit, it would be difficult to contend that it has been generous. In this connection, however, I would again refer to paragraph IX of my preliminary report, and note that the attitude of the people towards forest administration, especially near Murree, is about as troublesome and impracticable as it possibly could be. The forest administration must be strong, or it will certainly not be efficient. Ordinarily the people will obstruct as much as ever they can and I should be the last to suggest that any reliance should be placed upon them or any trust reposed in them.

Mr. Robertson's intentions with reference to village lands.

9. I trust that in the preceding paragraphs I have not failed to make out a *primâ facie* case for the alteration of the existing rules of 1903. In appendix B I submit a new draft notification intended to supersede the existing rules. The new draft is, in the main, based on the present rules, but with important and radical modifications. Referring to the new draft in appendix B, I proceed to discuss it, clause by clause, where it differs from the 1903.

Proposed new rules.

Rule 2 (*a*).—In the Murree tahsil "tree" has been defined so as to exclude all trees ordinarily planted. The rules will apply to all other trees, even though not of spontaneous growth, which might sometimes, though rarely, be the case. If it should be held that no trees not of spontaneous growth can legally form the subject of rules, then this section must be altered and made applicable only to trees of spontaneous growth. It is, however, convenient to expressly exclude certain trees, and, in prcstice, would lead to no hardship. In the Kallar Kahuta assessment circle the rules are meant to apply only to chir trees, and no action is meant to be prohibited which does not affect only chir trees.

Rule 3.—The division of trees into class A and class B is quite new, and is based on the Hazara rules where, however, villages and not trees are classified. In class A I have included deodars, though there are no deodars, but constant efforts are made to grow them. The exlcusion of rhin, the common hill oak, and of phuahi, the common acacia, need explanation. The former is the common hard-wood tree in the village lands of the high hills, and the latter is the common trees of the low hills. They are the only trees of real use for agricultural purposes, and it is in my opinion absolutely necessary to exclude them, if zamindars are to carry on agriculture without constantly breaking the law.

Rule 5.—Persons having rights are here defined as residents in the estate. The old rule did not define right-holders. In protected forests right-holders are briefly owners, muafidars, tenants and village servants. In the administration papers of all villages all residents have rights in the common lands, and this has always been the practice, until the new rules came into force. It is very desirable to maintain this right to all residents, and in practice it is exercised under the control of the village owners. All residents are allowed to cut trees of class B for ordinary purposes. This right is less than right-holders already have in protected forests, and is the minimun which they ought to have.

Rule 6.—This rule also extends to residents.

Rule 6 (2) (*c*).—I have added empty pine cones. This has reference to a recent criminal prosecution of an unjudicious character.

Rule 8 (5).—This is an important and essential provision. The Deputy Commissioner, with the previous sanction of the Commissioner (*vide* rule 13), is given leave to alter the trees in class A by adding or subtracting. The proposed rules apply to a large tract of very varying conditions and to all classes of forest growth. The local officers ought to have power to modify the rules with reference to the conditions of individual villages. No rules which have not some degree of elasticity will work well. Forest offences in the troublesome villages near Murree could be met by increasing class A, while the quieter villages might have more confidence reposed in them. The control of the Commissioner will be sufficient to prevent this power from abuse.

Rule 10.—I have removed from the old rule the words "at an interval of not less than three months." The effect of these words was to legally prohibit the Naib Tahsildar from returning within less than three months, although the wood might be ready. At the same time it is necessary to give the zamindars an interval of not less than three months in which to cut up the wood.

Most soldiers cannot wait three months for the Naib Tahsildar to return. I propose to omit the words, and suggest that this matter can be best dealt with in the working rules issued by the Deputy Commissioner.

Conclusion.

10. The draft rules in appendix B, if sanctioned, will necessitate the entire reconstruction of the working rules issued by the Deputy Commissioner, with the Commissioner's sanction. With these rules I have no concern, but I wish here to make one or two suggestions. The appointment of special Forest Naib Tahsildars has proved a marked success in comparison with previous administration, and I trust that these arrangements will continue. I would, however, suggest that the divided responsibility in the Murree tahsil between the Naib Tahsildar and the Deputy Ranger has not worked well. The Naib Tahsildar should be solely responsible for the tree marking and for working the rules and the forest official should be in all respects subordinate to him. Furthermore, the forest official should be considered subordinate to the Deputy Commissioner and should not be under the Forest Officer, but should only act as a link between the two departments. It would be better that the Forest Officer should be a forester and not a Deputy Ranger who can claim some equality of rank with the Naib Tahsildar.

Finally, I would suggest that no one under the rank of a Forester should have the powers of a Forest Officer with reference to village lands. Forest guards should have no concern with such lands. A small scale map showing the forests in Murree and Kahuta and the boundaries of assessment circles is attached.

A. J. W. KITCHIN,

Settlement Officer, Rawalpindi.

APPENDIX B.—NOT PRINTED.

No. 154 (Forests), dated Lahore, 12th March 1907.

From—Miles Irving, Esquire, offg. Under-Secretary to Government, Punjab, Revenue Department.

To—The Junior Secretary to the Financial Commissioner, Punjab.

I am directed to acknowledge the receipt of your letter No. 32, dated the 15th of January 1907, regarding certain proposals received from the Commissioner of Rawalpindi on the subject of the Murree and Kahuta Forest Guzara Rules.

2. Before considering the rules in detail, the Financial Commissioner is desirous of obtaining orders on the two preliminary points raised in paragraphs 3 and 4 of Mr. Kitchin's letter No. 1518, dated the 10th of October 1906, to the Commissioner, Rawalpindi division, which forms an enclosure to your reference under reply. These points are—

(*a*) that Government does not own any trees at all in the Kallar Kahuta circle with the small exception of the chir trees referred to in paragraph 6 of Mr. Kitchin's letter;

(*b*) that Government owns none but self-grown trees in either of the tahsils of Kahuta and Murree.

It is contended that the rules at present in force issued under Punjab Government notification No. 66, dated 9th February 1903, which deal with all trees in the two tahsils, are illegal, as Government can only make rules under section 75 (*c*) of the Forest Act for trees which belong to it.

3. In reply, I am desired to say that as regards the first point, the Lieutenant-Governor agrees with the Financial Commissioner that the rules should be held not to apply to the Kallar Kahuta assessment circle of the Kahuta tahsil, except in the case of chir trees.

4. As regards the second point, His Honour concurs in the view that the rules, while avoiding the use of the words "spontaneous growth"

detail the trees to which they apply and omit those which, as a matter of fact, are not ordinarily spontaneous.

5. I am to add that the Government must rely on the discretion of the local officers not to raise the legal point in the case of trees which, though normally spontaneous, have in exceptional circumstances been planted.

No. 87, dated Lahore 6th February 1909.

From—E. R. Abbott, Esquire, Senior Secretary to the Financial Commissioner, Punjab,

To—The Secretary to Government, Punjab.

In Mr. Miles Irving's letter (Punjab Government) No. 154 (Forests), dated 12th March 1907, the orders of Government were received on certain preliminary points in connection with the proposal to amend the Murree and Kahuta Forest Guzara Rules.

2. I am now to forward a copy of endorsement No. 1945, dated 24th July 1908, from the Commissioner of Rawalpindi, with its enclosure, of my letter No. 416 S., dated 8th September 1908, to the Conservator of Forests, Punjab, and of Mr. Fisher's letter No. 3862, dated 1st November 1908, in reply.

3. The Financial Commissioner proposes for adoption the modification in the original draft forwarded as appendix B to Mr. Bolster's letter No. 32, dated 15th January 1907, which is proposed by Mr. Douie in paragraph 4 of his letter No. 1914, dated 21st July 1908, to the Conservator of Forests, Punjab which is one of the enclosures to this letter, and recommends the publication in the *Government Gazette* of the amended rules now forwarded. If this course is approved, he will call for a simple set of rules for the protection of chir trees in what are now known as the Kahuta and Pothwar assessment circles, as suggested in paragraph 5 of Mr. Douie's letter.

4. After the new draft rules have been published the Financial Commissioner proposes to ask the Commissioner to consider the large changes suggested in this correspondence. In his opinion the general policy regarding these trees should be (1) to leave the people as free as possible as regards trees growing on their individually-owned lands; (2) to enlist the sympathy of the villagers in the preservation of the trees in their *guzaras* by making it directly their interest to preserve them, by giving the village a large share in any net profits of the *guzara*, and by employing the leaders of the village community in their management.

No. 1914, dated 21st July 1908.

From—J. M. Douie, Esquire, C.S.I., Commissioner, Rawalpindi division,

To—The Conservator of Forests, Punjab.

I have the honour to invite a reference to Forest Department Proceedings, Nos. 16-21, of March 1907, regarding rules for the protection of trees on village lands in the Murree and Kahuta tahsils of the Rawalpindi district, and in connection therewith to forward a copy of a letter No. 289, dated 7th July, from the Deputy Commissioner of the Rawalpindi, with its enclosures. I have discussed the case with Mr. Agnew and Mr. Jerram, but it must be understood that this letter embodies my own conclusions.

2. The position from which we start is that the Punjab Government has practically admitted that the State owns no trees in the Kallar-Kahuta circle of Kahuta except chir trees, and has agreed that the rules "should be held not to apply to the Kallar-Kahuta assessment circle except in the case of chir tree." Great delay has occurred in the issue of the new rules, and Mr. Agnew represented to me the irritation that existed in Kahuta over this subject of restrictions on the use of wood. I therefore sanctioned the issue of a notice to the landowners in the Kallar-Kahuta circle, informing them of the decision of Government above quoted. The notice actually issued was as follows:—"Orders will shortly issue as to the new rules governing grant of timber to zamindars, &c., in the Kahuta tahsil. But meanwhile in the Kallar-Kahuta assessment circle any zamindar may, whether on *guzara* or *milkiyat* lands, cut without permission from Government any tree which is his property, except chir trees. As regards chir trees, permission must be obtained as before."

The notice might have stated explicitly that Government claimed ownership in chir trees. I note in passing that the Kallar-Kahuta assessment circle has now been divided into the Kahuta and the Pothwar assessment circles.

3. What Mr. Jerram fears is that the practical effect of the new draft rules, if sanctioned, will be that a man will steal wood from a protected or reserved forest, sell it in Rawalpindi, and get off on the plea that he took the wood from his own village lands or got it from another man who took it from his own village lands. This plea could only be put forward as regards wood alleged to have been taken from village land in the Kallar-Kahuta circle, for rules 5 and 6 apply to all village lands in Murree and in Kahuta outside the Kallar Kahuta circle. The landowners in the Kallar-Kahuta circle can sell wood (except chir) grown on their village lands wherever they please. Mr. Jerram thinks the danger is the greater because the chief road from a larger part of the Murree tahsil and from the Kahuta tahsil to Rawalpindi runs through the Kallar-Kahuta circle. We must take the risk, such as it is, and I agree with Mr. Agnew that the risk is not great, provided courts dealing with forest cases will act with common sense.

4. It seems to me that great risk of confusion has been caused by trying to include in one set of rules provisions referring to trees (except dhrek, ber, and fruit trees) on village lands in Murree and the Pahar and Kahru circles of Kahuta and provision relating to chir trees only in the old Kallar-Kahuta circle of Kahuta. I am not sure that there is not some trace of such confusion in the present correspondence. I would cut out all references in the draft rules to the Kallar-Kahuta circle, and have a separate notification for the protection of the chir trees in that circle. I therefore propose the following amendments in the present draft. In the preamble, for "the Murree and Kahuta tahsils" substitute "the Murree tahsil and the Pahar and Kahru assessment circles of the Kahuta tahsil." In rules 2 (*a*) and 3 omit the provisos relating to the Kallar-Kahuta circle.

5. The Deputy Commissioner and the Forest Officer should be instructed to draw up a simple set of rules for the protection of chir trees in the old Kallar-Kahuta circle of Kahuta, now divided into the Kahuta and Pothwar assessment circles.

No. 1945, dated 24th July 1908.

COPY of the foregoing forwarded to R. C. Bolster, Esquire, Junior Secretary to the Financial Commissioner, Punjab, / D. Agnew, Esquire, I.C.S., Deputy Commissioner Rawalpindi, for information, with reference to correspondence ending with his No. 513, dated 4th March. / with reference to his No. 289 G., dated 7th instant.

No. 416 S., dated 8th September 1908.

From—E. R. ABBOTT, Esquire, Senior Secretary to the Financial Commissioner, Punjab,

To—The Conservator of Forests, Punjab.

IN your letter No. 1417,* dated 21st June 1907, on the subject of the proposed new rules for the preservation of certain trees growing on *guzara* lands in the Rawalpindi division you suggested that the issue of the rules should be delayed until you were in a position to express an opinion on certain aspects of the case. I am now directed to ask when we may expect your final opinion on the proposals made in letter No. 2743, dated 20th October 1906, from the Commissioner, Rawalpindi division, a copy of which was forwarded to you with this office endorsement No. 2442, dated 16th April 1907, and to say that the local officers are pressing for orders on the question, which affects the contentment of the villagers in a high degree.

* Not printed.

2. I am also to ask you to be good enough to compare the present and proposed rules with the *guzara* rules recently introduced into the Hazara district which are understood to be working satisfactorily.

3. The Financial Commissioner is inclined to think that the proper way to treat these forests is to make a clear distinction between trees on private lands and trees on common lands (village *guzaras*), and in the case of the former to allow the owner of the land perfect freedom as to his treatment of the trees, except old valuable trees, which he might be tempted to cut down and sell, while in the case of village *guzaras* we should endeavour to enlist the co-operation of the villagers by making it their direct interest to preserve the vegetation for the common good and by appointing *panchayats* with powers to enforce conservation under the supervision of the Deputy Commissioner. In the case of both classes of land Government should be content to arrange for conservation of the forest growth and any net income from the sale of timber should be handed over to the owners of the land. But perhaps it may be desirable not to raise such large questions

on the present reference, but to accept the proposed rules, as being at all events an improvement on the existing rules.

No. 417 S., dated 8th September 1908.

COPY forwarded to J. M. Douie, Esquire, C.S.I., Commissioner of the Rawalpindi division, for information, with reference to his endorsement No. 1945, dated 24th July 1908.

No. 3862, dated 1st November 1908.

From—C. P. FISHER, Esquire, Conservator of Forests, Punjab,

To—The Senior Secretary to the Financial Commissioner, Punjab.

I HAVE the honour to acknowledge the receipt of your letter No. 416 S., dated the 8th September 1908, and in reply to say that the proposed rules differ from the Hazara *guzara* rules mainly on the following points:—

(*a*) In Hazara right-holders may fell any trees for domestic and agricultural requirements on giving notice to the village Forest Officer, who is the lambardar or some important local person, and to the patwari: whereas under the proposed rules right-holders may fell certain trees without any restrictions, but have to obtain permission from the Deputy Commissioner to fell others. The latter system seems to be preferable to the former, partly because it involves less interference with the people, and partly because the protection afforded by the act of reporting removals is more apparent than real; to render it more effective, the village officials would have to mark the trees removed, which the rules do not require and which, if required, would lead to still more interference. Under the proposed rule 8 (5) the Deputy Commissioner can add any trees to the list of those whose removal is prohibited without his permission, and thus we may hope to prevent denudation; similarly he can remove trees from this list, and thus unnecessary restrictions can be avoided.

(*b*) The reporting of felling to a village Forest Officer has the advantage of bringing the villagers to a limited extent into connection with forest control. I suggest that this object could be much better attained by making the headmen, or perhaps a *panchayat*, responsible that the permission to use the trees only for agricultural and domestic purposes, or for the purposes specified in the permit issued under rule 8 (4) (*d*), was not abused.

(*c*) This would require the addition of a rule, somewhat similar to rule No. 20 of the Hazara Regulations, under which the *guzaras* could be closed in case of abuse. The villagers would thus be interested directly in preventing abuses.

(*d*) I think that, still further to interest villagers in the preservation of forests, the proviso of rule 11 of the Hazara Regulations should be added to the proposed rules, that is to say, the Deputy Commissioner should have power to close a *guzara* to the removal of trees, &c., after a fire had occurred. He would naturally exercise his discretion as to whether closure should be enforced or not, but the simple fact of the power being in his hands would enable deliberate burning for the sake of producing dry trees, to be checked. It might also assist us in educating the headmen or the *panchayats*, and through them the villagers, up to understanding the necessity for saving the forests from fires.

(*e*) In Hazara special Naib Tahsildars are provided to assist the Deputy Commissioner in controlling the forests, and I think such officers would be extremely useful in Rawalpindi. I suggest that, as in Hazara, they should be under the direct orders of the Deputy Commissioner who would of course be assisted indirectly by the Forest Officer, the latter bringing to the Deputy Commissioner's notice any cases in which he thought the Naib Tahsildars were not doing their duty.

2. As regards the comparison I am asked to make between the present rules and the Hazara rules, the above remarks apply except that the present rules impose fewer restrictions in so far as the class B trees are concerned. As I have already pointed out rule 8 (5) enables the list of B trees to be made sufficient-elastic, and for this reason I would not alter the trees in it, but would leave that to be done by the Deputy Commissioner should the necessity arise.

3. I do not understand the possibility contemplated in the opening sentence of paragraph 3 of your letter under reply, *viz.*, the making of a distinction between trees grown on private lands and on village *guzaras* for I was not aware that Government owned trees growing on private (proprietary) land. If, as I understand, Government does own these trees, I am inclined to think no restriction should be placed on their removal, save such as may come under chapter VIII of the Forest Act, unless it be with the object of pre-

venting such denudation as would constitute a common danger. But before expressing a definite opinion on this point I should need to make myself further acquainted with the local conditions.

4. As regards the question of constituting *panchayats*, I should very much like to see some action taken in this direction, for I believe it to be essential for the future well-being of the country that the people should work with the Forest Department and not against it, as they now do. By means of *panchayats* it is conceivable that this end might be attained, although it may be that individual agriculturists, the more important men in the district, could do more good. On this point I cannot express an opinion. In either event, however, I think, it would be altogether desirable to give effect to Mr. Wilson's suggestion that the income derived from sales of timber in *guzaras*, or substantial part of it, should be handed over to the local communities in order to give them a direct interest in the efficient management of the forests. The money would be well spent in the interests of the State as a whole if it caused the people to preserve their forests. Any action in this direction, and in the direction of creating *panchayats*, might be subsidiary to the issue of the proposed rules, in order not to delay their publication.

5. In conclusion, I have to express my regret at not having written about this matter after my inspection of the Rawalpindi forest division in March last.

GAZETTE NOTIFICATION.

The 19th March 1909.

No. 171.—*Notification.*—In exercise of the powers conferred by clause (*c*) of section 75 of the Indian Forest Act, 1878, His Honour the Lieutenant-Governor is pleased to make the following rules for the preservation reproduction, and disposal of trees and timber within forest lands, waste lands and other lands (all areas being excepted which are, for the time being, reserved forests or protected forests, respectively, or are included within the limits of any municipality or cantonment) situate within the limits of the Murree tahsil and the Pahar and Kahru assessment circles of the Kahuta tahsil of the district of Rawalpindi.

2. The rules published with notification No. 66, dated the 6th February 1903, are hereby cancelled :—

MURREE AND KAHUTA FOREST CONSERVANCY RULES, 1909.

1. These rules extend to all forest lands and waste lands (other than areas which are or may at any time hereafter be constituted reserved forests under chapter I) or protected forests under chapter IV of the Indian Forest Act; 1878, or areas at any time included within the limits of any municipality or cantonment (situate within the limits of the Murree tahsil and the Pahar and Kahru assessment circles of the Kahuta tahsil of the district of Rawalpindi, and to all other lands whatsoever occupied or let for agricultural purposes, or for purposes subservient to agriculture or for pasture, situate within the same limits.

2. In these rules, unless a different intention appears from the subject or context—

(*a*) the expression "tree" includes palms, bamboos, stumps, brushwood, and canes, but does not include "drek," "ber" or any fruit tree ;

(*b*) the expression "estate" shall have the meaning assigned to it in section 3 of the Punjab Land Revenue Act, 1887; and

(*c*) the expression "Deputy Commissioner" means the Deputy Commissioner for the time being of the district of Rawalpindi, and includes any officer at any time appointed by him to discharge all or any of the functions by these rules assigned to the Deputy Commissioner.

3. Except as provided in rule 8 (5) below trees are divided into two classes, called subsequently A and B. Class A includes all trees of the following descriptions :—

Deodar,	Tali,
Biar,	Tun,
Paludar,	Barungi,
Chir,	Barin,

Khair.

Class B includes trees of all other kinds.

4. No person shall, otherwise than as provided in rules 5 and 6 following, at any time, for any purpose whatsoever—

(1) fell, girdle, lop, tap or burn any trees;

(2) strip off the bark or leaves from or otherwise damage or destroy any tree;

(3) fell any tree or drag any timber so as to damage or destroy any tree;

(4) permit any cattle to damage any tree;

(5) burn lime or charcoal or bricks or surkhi or break up land for extending cultivation, in a manner calculated to cause injury to trees or timber;

(6) cause or permit any other person to commit, or otherwise abet any person in the commission of, any act hereinbefore specified,

within or shall remove, or cause or permit any other person to remove, or shall in any manner abet the removal by any person of, any tree or timber from, any forest land, waste and or any other land to which these rules extend.

5. Any resident in the estate in which the tree is situate may fell and remove or fell, or remove for agricultural or domestic purposes, any tree of class B without permission or license, provided that any timber thus obtained shall only be used for the ordinary domestic or agricultural purposes mentioned above within such estate and not for sale or any other purpose.

6. (1) If any such resident at any time desires within the limits of any land to which these rules extend to fell or remove, or both to fell and remove, any tree or timber of class A (other than as provided in the clause next following) for use by him for any domestic or agricultural purposes within the estate within the limits of which such land is situate, or to break up land for extending cultivation in a manner calculated to injure trees or timber, he shall apply to the Deputy Commissioner (in the manner from time to time prescribed by the Deputy Commissioner in that behalf) for the grant of a permit under rule 8, and shall abstain from proceeding to fell or remove any such tree or timber or to break up land for cultivation, as the case may be, until he shall have received such permit, and if any such permits be granted, shall act in strict accordance with, and subject to, the terms and conditions thereof, and not otherwise.

(2) The following acts on lands to which rule 4 is applicable are exempt from the provisions of rule 4 and clause (1) of this rule:—

(*a*) the felling or removal, or both the felling and removal, of any dry tree (other than a standing chir or biar tree) or dry timber, required for ordinary domestic or agricultural purposes, or for the cremation of the dead, or for the manufacture of agricultural implements;

(*b*) the cutting and removal of grass and fruits of all kinds and species;

(*c*) the removal of fallen pine needles and empty pine cones;

(*d*) the lopping of any tree, whose shade is detrimental to the growth of field crops growing under or adjacent to such tree, of its side branches, up to one half of the height of the tree above ground:

Provided that any timber or firewood obtained by any of the foregoing acts shall only be used for ordinary domestic or agricultural purposes and not for sale or any other purpose;

(*e*) the lopping of leaves for fodder for cattle from such trees and at such seasons as may be prescribed by the Deputy Commissioner from time to time in that behalf.

7. The Deputy Commissioner shall cause lists to be prepared in every village or *abadi* to which these rules apply, in which will be entered in a printed form supplied for that purpose the names of persons desiring permits under clause (1) of rule 6 for the purposes therein specified.

8. (1) The Deputy Commissioner may from time to time as occasion may require grant permits, under clause (1) of rule 6, for the purpose therein respectively specified, to any persons whom he may consider entitled thereto.

(2) Applications for permits to break up land for extension of cultivation will be granted readily where the trees standing on it are not numerous and the ground is sufficiently level to give hopes of good crops being raised.

(3) The Deputy Commissioner may from time to time prescribe the fees to be paid and the conditions to be observed by persons to whom permits may at any time be granted under this rule for purposes of sale.

(4) Every permit at any time granted under this rule shall be in writing on a printed form, and shall contain the following particulars; namely:—

(a) if the permit is for purposes of sale, the fees or payments to be made in respect of such permit, and the time when, and the manner in which, such payment is to be made;

(b) the description and quantity of trees or timber granted, and the purpose for which they are granted;

(c) the conditions subject to which the permit is granted;

(d) the period for which such permit is to remain in force;

(e) the date on which such permit is granted;

(f) the signature and official designation of the officer by whom such permit is granted.

(5) The Deputy Commissioner may by general or special order add to the list of trees under class A in rule 3 above or remove trees from that list as regards the whole tract to which these rules apply or as regards individual villages.

(6) It shall be in the absolute discretion of the Deputy Commissioner to grant or (without assigning any reason) refuse any permit at any time applied for.

9. Every such permit for the felling or removal of a tree shall be subject to the following two conditions:—

(1) that every such tree shall be felled and converted into beams, scantlings, planks or other description of timber within three months of the date of hammer-marking as in the next rule following provided, unless specially exempted from this rule by order of the Deputy Commissioner in writing, and

(2) that any beams, scantlings, planks, or other description of timber sold by the permit-holder under any rule or used by him for any other purpose than that intended for or not used for the purpose for which allowed, within the time prescribed, shall be deemed Government property and may be dealt with in such manner as the Deputy Commissioner may direct.

10. The Deputy Commissioner shall once or twice annually, according to the accessibility of the village or *abadi* and the nature of its requirements, depute an officer or officers not under the rank of Naib Tahsildar, who shall, in company with a Forest Officer to be deputed by the Forest Department, visit every village or *abadi* to which these rules apply, and shall proceed to scrutinise the lists prepared in accordance with rule 7 and hammer-mark the trees to be felled after grant of permits, in which shall be entered the date of branding and the quantity and description of the timber branded under signature of the officer granting the permit according to the legitimate wants of applicants, and having regard to these rules. The trees having been hammer-marked, it will be the duty of the Naib Tahsildar to re-visit the said village or *abadi*, and he shall then mark the scantlings into which the felled trees have been drawn up. On the occasion of such second visit the Naib Tahsildar shall collect the permits and shall report for orders of the Deputy Commissioner any case in which the conditions of the permit have been infringed.

11. The trees which shall be hammer-marked under rule 10 shall include trees of class A, and no person shall be granted from lands to which these rules apply more than three chir or three biar trees within a period of three years.

12. No person shall, within the limits of any forest land, waste land or other land to which these rules apply, at any time—

(a) set fire, or cause or permit any other person to set fire, to any trees or timber belonging to Government, or

(b) negligently permit any fire to spread or extend, or

(c) set fire or cause or permit any other person to set fire to any forest produce or grass, the combustion of which is likely to cause injury to such trees or timber, without giving notice of his desire so to do to the Deputy Commissioner or the District Forest Officer or Tahsildar and obtaining the permission in writing of such officer, and then only subject to such conditions, restrictions and precautions as that officer may impose.

13. Every general order or direction which the Deputy Commissioner proposes to give as to the officers to whom, and the manner in which, applications for permits under clause (1) of rule 6 shall be made, and the time of year at which they shall be made, and the conditions and payments, respectively, subject to which permits may be granted under rule 8 and any alterations in class A which he may propose under clause (5) of rule 8, shall be submitted to the Commissioner of the Rawalpindi Division for his approval and no such order or direction shall take effect until it has been approved by that officer.

No. 172 (Forests), dated Lahore, 19th March 1909.

COPY forwarded to the Senior Secretary to the Financial Commissioner, Punjab, with reference to his letter No. 81, dated 6th February 1909. The

Lieutenant-Governor will await Financial Commissioner's proposals for allowing greater freedom as to trees growing on private lands and enlisting the sympathy of the villagers.

No. 261, dated Lahore, 17th April 1909.

From—E. R. ABBOTT, Esquire, Senior Secretary to the Financial Commissioner, Punjab,

To—The Secretary to Government, Punjab.

IN continuation of my letter No. 87, dated 6th February 1909, I am directed to forward a set of rules for the protection of chir trees in the Kahuta and Pothwar Circles of the Kahuta tahsil of Rawalpindi, and to recommend them for publication in the Government Gazette. The rules were drawn up by Mr. Agnew, lately Deputy Commissioner, and Mr. Jerram, Assistant Conservator of Forests, and some modifications, introduced by Mr. Douie, have been accepted by Mr. Kitchin, the present Deputy Commissioner.

GAZETTE NOTIFICATION.

The 12*th May* 1909.

No. 302.—*Notification.*—In exercise of the powers conferred by clause (*c*) of section 75 of the Indian Forest Act, 1878, the Lieutenant-Governor is pleased to make the following rules for the preservation, reproduction and disposal of chir trees and timber within forest lands, waste lands and other lands (all areas being excepted which are for the time being reserved forests or protected forests respectively, or are included within the limits of any municipality or cantonment) situate within the limits of the Kahuta and Pothwar assessment circles of the Kahuta tahsil of the district of Rawalpindi:—

KAHUTA AND POTHWAR ASSESSMENT CIRCLES FOREST CONSERVANCY RULES, 1909.

1. These rules extend to all forest lands and waste lands (other than areas which are, or may at any time hereafter be, constituted reserved forests under chapter II or protected forests under chapter IV of the Indian Forest Act, 1878, or areas at any time included within the limits of any municipality or cantonment) situate within the limits of the Kahuta and Pothwar assessment circles of the Kahuta tahsil of the Rawalpindi district and to all other lands whatsoever occupied or let for agricultural purposes or for purposes subservient to agriculture, or for pasture, situate within the same limits.

2. In these rules—

(*a*) the expressions "tree" means chir tree and "timber" means chir timber;

(*b*) the expression "estate" shall have the meaning assigned to it in section 3 of the Punjab Land Revenue Act, 1887; and

(*c*) the expression "Deputy Commissioner" means the Deputy Commissioner for the time being of the district of Rawalpindi, and includes any officer at any time appointed by him to discharge all or any of the functions by these rules assigned to the Deputy Commissioner.

3. No person shall, otherwise than as provided in rule 4 following, at any time, for any purpose whatsoever—

(1) fell, girdle, lop, tap or burn any tree;

(2) strip off the bark or leaves from or otherwise damage or destroy any tree;

(3) fell any tree or drag any timber so as to damage or destroy any tree;

(4) permit any cattle to damage any tree;

(5) break up land for extending cultivation in a manner calculated to cause injury to trees;

(6) cause or permit any other person to commit, or otherwise abet any person in the commission of, any act hereinbefore specified;

within, or shall remove, or cause or permit any other person to remove, or shall in any manner abet the removal by any person of, any tree or timber, from, any forest land, waste land or any other land to which these rules extend.

4. (1) If any resident in the estate in which the tree is situated at any time desires within the limits of any land to which these rules extend, to fell or remove, or both to fell and remove, any tree or timber (other than as provided in the clause next following) for use by him for any domestic or agricultural purpose within the estate within the limits of which

such land is situate or to break up land for extending cultivation in a manner calculated to injure trees or timber, he shall apply to the Deputy Commissioner (in the manner from time to time prescribed by the Deputy Commissioner in that behalf) for the grant of a permit under rule 6 and shall abstain from proceeding to fell or remove any such tree or timber or to break up land for cultivation, as the case may be, until he shall have received such permit, and if any such permit be granted, shall act in strict accordance with, and subject to, the terms and conditions thereof, and not otherwise.

(2) The following acts on lands to which rule 3 is applicable are exempt from the provisions of rule 3 and clause (1) of this rule :—

(*a*) the removal of fallen pine needles and empty pine cones,

(*b*) the lopping of the side branches of any tree, whose shade is detrimental to the growth of field crops growing under or adjacent to such tree, up to one-half of the height of the tree above ground :

Provided that any timber or firewood, obtained by the foregoing act, shall only be used for ordinary domestic or agricultural purposes, and not for sale or any other purpose.

5. The Deputy Commissioner shall cause lists to be prepared in every village or *abadi* to which these rules apply, in which will be entered in a printed form supplied for that purpose, the names of persons desiring permits under clause (1) of rule 4 for the purposes therein specified.

6. (1) The Deputy Commissioner may from time to time as occasion may require grant permits under clause (1) of rule 4, for the purposes therein respectively specified to any persons whom he may consider entitled thereto.

(2) The Deputy Commissioner may from time to time prescribe fees to be paid and the conditions to be observed by persons to whom permits may at any time be granted under this rule for purpose of sale.

(3) Every permit at any time granted under this rule shall be in writing on a printed form, and shall contain the following particulars, namely :—

(*a*) if the permit is for purposes of sale, the fees or payments to be made in respect of such permit, and the time when and the manner in which, such payment is to be made ;

(*b*) the description and quantity of trees or timber granted, and the purpose for which they are granted ;

(*c*) the conditions subject to which the permit is granted ;

(*d*) the period for which such permit is to remain in force ;

(*e*) the date on which such permit is granted ;

(*f*) the signature and official designation of the officer by whom such permit is granted.

(4) It shall be in the absolute discretion of the Deputy Commissioner to grant or (without assigning any reason) refuse any permit at any time applied for.

7. Every such permit for the felling or removal of a tree shall be subject to the following two conditions :—

(1) that every such tree shall be felled and converted into beams, scantlings, planks or other description of timber within three months of the date of hammer-marking as in the next rule following provided, unless specially exempted from this rule by order of the Deputy Commissioner in writing; and

(2) that any beams, scantlings, planks or other description of timber sold by the permit-holder under any rule or used by him for any other purpose than that indented for, or not used for the purpose for which allowed, within the time prescribed, shall be deemed Government property and may be dealt with in such a manner as the Deputy Commissioner may direct.

8. The Deputy Commissioner shall once or twice annually, according to the accessibility of the village or *abadi* and the nature of its requirements, depute an officer or officers not under the rank of Naib Tahsildar, who shall, in company with a Forest Officer to be deputed by the Forest Department, visit every village or *abadi* to which these rules apply, and shall proceed to scrutinise the lists prepared in accordance with rule 5 and hammer-mark the trees to be felled after grants of permits, in which shall be entered the date of branding and the quantity and description of the timber branded under signature of the officer granting the permit according to the legitimate wants of the applicants, and having regard to these rules. The trees having been hammer-marked it will be the duty of the Naib Tahsildar to revisit the said village or *abadi* and he shall then mark the scantlings into which the felled trees have been sawn up. On the occasion of such second visit the Naib

Tahsildar shall collect the permits and shall report for orders of the Deputy Commissioner any case in which the conditions of the permit have been infringed.

9. No person shall be granted from lands to which these rules apply more than three trees within a period of three years.

10. No person shall, within the limits of any forest land, waste land or other land to which these rules apply, at any time—

(a) set fire, or cause or permit any other preson to set fire, to any trees or timber belonging to Government, or

(b) negligently permit any fire to spread or extend, or

(c) set fire or cause or permit any other person to set fire to any forest produce or grass the combustion of which is likely to cause injury to such trees or timber without giving notice of his desire so to do to the Deputy Commissioner or the District Forest Officer or Tahsildar and obtaining the permission in writing of such officer, and then only subject to such conditions, restrictions and precautions as that officer may impose.

11. Every general order or direction which the Deputy Commissioner proposes to give as to the officers to whom, and the manner in which applications for permits under clause (1) of rule 4 shall be made, and the time of year at which they shall be made, and the conditions and payments, respectively, subject to which permits may be granted under rule 6, shall be submitted to the Commissioner of the Rawalpindi division for his approval, and no such order or direction shall take effect until it has been approved by that officer.

No. 303 (Forest), dated 12th May 1909.

COPY forwarded to the Senior Secretary to the Financial Commissioner, Punjab, for information, with reference to his letter No. 261,* dated 17th April 1909.

* Pro No. 3 *supra*.

No. 343, dated Lahore, 1st June 1910.

From—E. R. ABBOTT, Esquire, Senior Secretary to the Financial Commissioner, Punjab,

To—The Secretary to Government, Punjab.

WITH reference to your endorsement No. 172 (Forests),* dated the 19th March 1909, and to paragraph 4 of this office letter No. 87,* dated 6th February 1909, I am directed to forward a copy of the correspondence noted in the margin† and to say that the Financial Commissioner agrees that in the rare cases in which any thinning operations are undertaken in village *guzaras* in the Murree and Kahuta tahsils the net profit should be paid to the land-owners.

* Proceedings, April 1909, Nos. 4-11 A., file No.—19 Forests.

† Deputy Commissioner Rawalpindi's letter No. 555 G., dated 26th August 1909, to address of Commissioner, Rawalpindi division.
Senior Secretary to the Financial Commissioner's letter No. 4921, dated 24th September 1909.
Commissioner Rawalpindi's letter No. 78, dated 10th January 1910, and enclosure.

No. 555 G., dated 26th August 1909.

From—A. J. W. KITCHIN, Esquire, Deputy Commissioner, Rawalpindi,

To—The Commissioner, Rawalpindi division.

WITH reference to Financial Commissioner's letter No. 2101, dated 8th April 1909, and the reminder No. 599-R., dated 10th August 1909, received with your endorsement, dated 14th August, I regret that the fact of a reply being needed escaped my attention. I am unable now to make any suggestions for giving the people more control in the management of these forests. The fact that I know the people and the forests so well makes my task more difficult instead of more easy. Every concession which I have ever seen made has always been abused. At the same time the more I know the forests the more I resent the petty tyranny to which the people are daily subjected, and if I can find a way of relaxing rules or altering the administration without sacrificing the forests I will gladly submit proposals. I am most anxious to improve the lot of the people, and am constantly considering and discussing new proposals. One alteration has been made this hot weather. The forest administration of two *zails* has been, with the consent of the

Commissioner, handed over entirely to two pensioned Subedar-Majors, one of whom is the Zaildar and the other a near relation of the Zaildar. If the experiment is a success, there then will be some hope of improvement in the future, for the system can be extended gradually and tentatively. I see no chance of ever releasing the Dhund and Kethwal villages round Murree from the bonds of official control, but much would have been achieved if the rules could ultimately be relaxed and popular control introduced for the other tribes who are less unruly and less turbulent. I would suggest that the matter be allowed to drop for the present, and that I may be allowed to go on trying experiments and devising new methods of making village forest administration less hateful to the people than at present.

No. 4921, dated 24th September 1909.

From—E. A. A. JOSEPH, Esquire, Senior Secretary to the Financial Commissioner, Punjab,

To—The Commissioner, Rawalpindi division.

WITH reference to the correspondence ending with your endorsement No. 3779, dated 13th September 1909, I am directed to invite your attention to paragraph 4 (2) of Mr. Abbott's letter No. 87, dated 6th February 1909, to the address of the Secretary to Government, Punjab, and to the latter part of paragraph 4 of the Conservator of Forests' letter No. 3862, dated 1st November 1908, copies of which have been already sent you. The Officiating Financial Commissioner will be glad to have your remarks, and Mr. Kitchin's, on the suggestion that the people should be given a substantial share of the net profits of the Murree and Kahuta *guzaras* to which Punjab Government Office Notification No. 171, dated 19th March 1909, applies, and to know if such net profits actually accrue.

No. 78, dated 10th January 1910.

From—C. J. HALLIFAX, Esquire, Offg. Commissioner, Rawalpindi division,

To—The Senior Secretary to the Financial Commissioner, Punjab.

IN reply to your letter No. 4921, dated 24th September 1909, in regard to giving the people a share of the net profits of the Murree and Kahuta *guzaras*, I have the honour to forward a copy of the Deputy Commissioner Rawalpindi's letter No. 608 G., dated 4th October 1909, and to say that at present there are no profits, but if profits accrue, it seems desirable that the people should be permitted to benefit from them.

No. 608-G., dated 4th October 1909.

From—A. J. W. KITCHIN, Esquire, Deputy Commissioner, Rawalpindi,

To—The Commissioner, Rawalpindi division.

YOUR endorsement No. 3966, dated 29th September 1909, forwarding a copy of Financial Commissioner's letter No. 4921, dated 24th September. There are ordinarily no profits at all from *guzaras* in which the people can be given any interest. Sometimes stolen wood is confiscated and sold and the proceeds go to Government. The amount so realised is very small and I never sell wood if I can help it. Some of the *guzaras* in favoured corners of the district want thinning out and the Forest Officer advises me that this ought to be done. There will be some considerable profit from this, which I shall propose giving to the people concerned. Generally speaking, and as regards nearly all villages, there are no profits in which the villagers can be given any share.

No. 406 (Forests), dated Lahore, 21st June 1910.

From—The Hon'ble Mr. H. P. TOLLINTON, I. C. S., Secretary to Government, Punjab,

To—The Senior Secretary to the Financial Commissioner, Punjab.

I AM directed to acknowledge the receipt of your letter No. 343, dated 1st June 1910, with enclosures, containing a proposal to make over the net profits of thinning operations in village *guzaras* in the Murree and Kahuta tahsils to the land-owners.

2. In reply I am to convey sanction to the above proposal.

VI.—Forests in the Murree and Kahuta Tahsils.

No. 729, dated Lahore, 30th November 1910.

From—E. R. ABBOTT, Esquire, Senior Secretary to the Financial Commissioner, Punjab,

To—The Secretary to Government, Punjab.

I AM directed to forward for the orders of Government a copy of letter No. 1213, dated 10th May 1907, from the Commissioner, Rawalpindi, together with a copy of its enclosures, submitting a report by Mr. Dunnet, Assistant Settlement Officer, Rawalpindi, upon the forests in the Murree and Kahuta tahsils and making specific recommendations for action to be taken in certain cases.

2. As regards paragraph 3 of Mr. Kitchin's forwarding letter, referred to in Mr. Fenton's opening paragraph, I am to say that the Financial Commissioner has accepted the decision of the Commissioner that there are no definite [illegible]

tions or issues which cannot be settled between the local civil and forest offices or between the Conservator of Forests and the Commissioner of the division.

3. The Financial Commissioner agrees that the grant of a right to browse sheep and goats in the protected forests means their abandonment as forests and need not at present be considered.

4. The proposals now made which have been accepted by the Conservator of Forests are—

(1) to include Dhok Phirpirian in the list of right-holding hamlets in protected forest Phirirpian.

(2) to exclude 59·98 acres from protected forest Thuthar.

(3) to exclude 93·66 acres from protected forest Bindla.

(4) to grant as privileges—

(a) access to a spring in reserved forest Sang to the inhabitants of Dhok Phirpirian.

(b) permission to graze and browse animals in area of 5·6 acres of reserved forest Kajli Ban to the inhabitants of mauza Balriha.

(c) access to a spring in reserved forest Kala Bosand to the inhabitants of Dhok Kea.

5. In order to carry into effect proposals (1), (2) and (3) above, I am to forward the three draft notifications enclosed and to recommend them for publication in the Gazette.

6. With regard to the reserved forests, Mr. Wilson considers that the concessions proposed should be conferred in the form of a grant of privileges made by Government, not of a statement of rights by the people. It will be sufficient, therefore, if additions in the following form, *viz.* :—"The Lieutenant-Governor has been pleased to confer the following privileges on, &c.," are made to the administration paper in the forest record of rights, a similar note being made on the village administration paper also.

No. 1213, dated Rawalpindi, 10th May 1907.

From—M. W. Fenton, Esquire, I. C. S., Offg. Commissioner, Rawalpindi division,

To—The Senior Secretary to the Financial Commissioner, Punjab.

I have the honour to enclose for orders copy of a letter No. 326, dated 27th March 1907, from the Settlement Officer, Rawalpindi, enclosing Mr. Dunnet's report on his inquiry into the circumstances of the Forests of the Murree and Kahuta tahsils. With paragraph 3 of Mr. Kitchin's forwarding letter, I have dealt in my letter No. 831, dated 3rd April 1907, a copy of which was endorsed to you by No. 832 of the same date.

2. I concur with Mr. Dunnett and Mr. Kitchin that it should be definitely decided not to grant any extension of browsing privileges in these forests.

3. I support the specific recommendations made by Mr. Dunnett and supported by Mr. Kitchin in five cases, *viz.* :—

I.—To include Dhok Phirpirian among the list of right-holding hamlets in the Phirpirian protected forest record of rights.

II.—To convert about 40 acres of protected forest Thuthar into a *guzara.*

III.—To exclude about 60 acres from Bindla protected forest.

IV.—To open to all animals about 5 or 6 acres of Kajliban reserved forest.

V.—To grant a right of way to a spring in reserved forest Kalabasand.

These concessions are proposed in order to legalise what is the actual practice and what but for inadvertence would probably have been accepted and recognised in their original forest settlement.

4. If the proposals are sanctioned by Government draft notifications will be submitted when necessary.

No. 326, dated 27th March 1907.

From—A. J. W. Kitchin, Esquire, C. S., Settlement Officer, Rawalpindi.

To—The Commissioner, Rawalpindi division.

In paragraph 5 of my printed report No. 1517, dated 10th October 1906, on the Rawalpindi forests, I stated that it might be necessary to submit further proposals when Mr. Dunnett, Assistant Settlement Officer, had completed his inspections of the forests in the Murree and Kahuta tahsils. I now submit a report with five maps by Mr. Dunnet making proposals as regards certain minor grievances to which his attention was called in the course of his forest inspections. The report is entirely written by Mr. Dunnett, but the proposals to be made in the report were discussed and agreed upon between Mr. Dunnett and myself before the report was written.

2. Mr. Dunnet has dealt at some length with the question of extending privileges of goat grazing, and his final conclusion is that extended rights for browsing should not be given. This is also my own opinion, and I make no proposals, and would resist any proposals for allowing browsing in protected forests. Regarding the application for extending facilities for browsing as definitely decided in the negative, it remains to consider one by one the proposals which are now submitted for the orders of Government. The alterations in existing rights proposed to be made are in each case very small, and in nearly every case it would appear that the particular grievance for which redress is asked is one which was overlooked at the forest settlement, or that the intention of the Settlement Officer was by some clerical mistake not carried into effect. I proceed to detail the present proposals one by one.

I.—Dhok Phirpirian.

The proposal is to extend the rights in protected forest Phirpirian so as to give such rights to Dhok Phirpirian village Sang and village Marinian. There is no doubt that a mistake was made, and the rights, as now proposed, have always been exercised.

II.—Dhok Thuthar—village Sehr.

The proposal is to connect Dhok Thuthar with the grazing areas of village Sehr by throwing open a small portion of protected forest Thuthar indicated on the map. Mr. Dunnet proposes to throw open by including in *guzara* this tongue of land. His intention is not, I think, to disforest this area nor, in my opinion, is it necessary to do. Of course there is a right of way to cattle, sheep and goats from Dhok Thuthar to their grazing lands, but no one who knows anything of forest management would contend that the existing right of way is sufficient to ensure free communication between the two parts of the village. My proposal is that the tongue of land marked on the map should be thrown open to grazing and browsing of all animals.

II.—Dhok Bindla.

This is a hard case. The forest records and the settlement records are at variance, and there is no doubt that the forest records do not represent the intentions of the Forest Settlement Officer. I referred the case to Mr. Robertson, the Settlement Officer, but he was not able to help me. In practice the residents of Dhok Bindla have exercised some rights, as the case was known to be disputed. The proposal is to give Dhok Bindla rights of goat browsing in about 60 acres of protected forest Bindla as marked on the map. The exact intentions of the Forest Settlement Officer cannot now be determined and the proposal is openly of the nature of a compromise. I very nearly decided the boundary dispute in favour of Dhok Bindla.

IV.—Village Balriha.

This is a very old grievance, and it remains a grievance only because the means by which the Settlement Officer meant to redress is in practice of no use. The village is cut in two by a reserved forest. A right of way is certainly not sufficient. The proposal is to demarcate a small strip about 100 yards wide—see the map—across the forest, and in it to allow free grazing and browsing. It would be best to fence this pathway.

V.—Dhok Kea.

This is a proposal to give a right of way to a spring in Kalabasand reserve. There is no such right of way at present. The omission of a right of way was a mistake made at last settlement and should be put right now. The road can of course be fenced if the Forest Department should so desire.

I have not submitted draft Gazette notifications in any of these cases, but the proposals are in such a form that there would be no difficulty whatever in preparing such notifications in the event of the proposals being sanctioned. I trust that they all will be sanctioned, for the alterations proposed are very modest when compared with the huge area of forests of which a settlement was made at the last Revenue Settlement of the district.

3. In my letter No. 1521, dated 10th October 1906, to you, I called your attention to certain matters of importance in which I expressed an opinion that

administrative arrangements and partly to misunderstanding the promises made at settlement are not being fulfilled to the zamindars. The more important matters to which I called attention are that trees are not given from protected forests as freely as they ought to be given, and that the zamindars are not allowed to exercise the right to cut wood for agricultural purposes which they were given by the rules. I have received no orders on this letter, but I understand that it has not been forwarded to Government and that you are of opinion that there is no need to trouble Government, as the rights of zamindars are not denied, and that the matter is one that can be put right by local rules. As this is the last opportunity which I shall have of expressing an opinion on the working of the Forest Settlement, and as I am not satisfied with the means of redress offered to grievances which I have pointed out, I here venture to urge again my strong opinion that more vigorous reforms are needed than I see any prospect of being instituted. I have submitted all the proposals which have resulted from the enquiry into the Forest Settlement which I was ordered to make and have submitted them in a number of separate letters in order to facilitate their disposal. If, however, I had realised that this arrangement might result in some of my proposals not being forwarded to Government, I would not have taken this course. I freely admit that some of the grievances I have pointed out could be redressed without alteration of existing gazetted rules, only by the alteration of departmental working rules; yet I am by no means satisfied that departmental working rules which will operate to ensure the zamindars in the enjoyment of their rights will be framed unless framed under the orders of Government. I myself am going on furlough in a few weeks, and I shall have no opportunity of assisting in the framing of any such rules, and I see no prospect of things being put right except under definite orders. I have been in this district more than four years and have been engaged on a special forest enquiry for more than two years, and it appears to me that the fact that I have reported cases in which the forest settlement is not being properly worked is of sufficient importance to attract the attention of Government. My only interest in the case is the interest of zamindars, and it is in their interests only that I again urge and wish to leave on record that I am not satisfied.

4. As this is the last letter which I have to write on matters connected with forest records and administration, I wish to take the opportunity of rendering my thanks to the various Forest Officers which have held charge of the Rawalpindi division during the time I have been Settlement Officer. In particular I acknowledge my especial obligations to Mr. Carroll, the present Forest Officer, who has held charge while all the difficult work was being done, and without whose cordial co-operation and sympathy my task would have been very difficult, if not impossible. That we have been able to demarcate thousands of chaks, settle hundreds of boundary disputes and revise all the record of rights without either friction or trouble, is due, in great measure, to the cordial assistance which I have always received.

Forest Report by Mr. J. M. Dunnett, Assistant Settlement Officer, Rawalpindi, to the Settlement Officer, Rawalpindi.

I have completed an exhaustive enquiry into the complaints of zamindars in tahsil Murree and the hilly portions of tahsil Kahuta about the hardships they suffer from the forest and *guzara* arrangements. Discontent was incited chiefly by the revisions of the *guzara* rules in 1899 and 1903 which resulted in restricting rights in *guzaras* more severely than in protected forests. Certain practices in protected forests, such as the sale of dry timber and wood, also caused dissatisfaction, and the uncertainty about the boundaries of chaks was a further cause of discontent. The question of browsing had been agitated for years. Settlement was an excellent opportunity for airing these grievances, and petitions without number were presented. No record of these petitions has been kept. I have several hundreds in my office, but these represent only a portion of the total number, as the zamindars were always ready to retain their petitions and verbally explain their grievances when I went to their villages.

You have dealt separately with the *guzara* rules, with the demarcation of chaks, and with certain matters referring to the management of protected forests. The further question of closing certain areas in protected forests as nurseries for the encouragement of reproduction will be separately reported. The present note deals only with the complaints of particular villages and hamlets.

All these complaints have been gone into very carefully. My tours ran from April to December 1906. Every forest has been inspected in presence of the villagers. I am not conscious of having omitted any portion of any boundary and every "*dhok*" has been visited. Every petition presented and every representation made has been gone into carefully on the spot, and on my very extended tours every one has had an ample opportunity of airing his grievances. I venture the opinion that a comprehensive enquiry has been made into the effect at present of forest conservancy on agriculture in the tract under report.

The tract under report is not large. The area west of the Phaphundi ridge is closely dependent on Murree station. Great energy is being shown by the Forest Department in opening up communications, and miles of excellent hill roads are opened up every year.

Although the permission of the Deputy Commissioner is necessary before any of the waste can be brought under cultivation, many hundreds of acres are brought under the plough for the first time every year, and the cultivated area is increasing fast. You have found it necessary to announce the new revenue in Murree tahsil for a period of ten years only. In the hilly tracts of the Kahuta tahsil conditions are similar, though the increase of cultivation may not be so rapid. Population is everywhere on the increase, and there is still a great deal of the remaining waste capable of cultivation. If the present rate of increase of population and cultivation is maintained, the interests of agriculture and sylviculture will conflict seriously at a not very distant date. I have borne this in mind in considering the condition of each village and hamlet and more particularly with reference to the question of goat browsing, but the present note must be taken as proposing remedies only for the present or immediately imminent hardsdips of the people.

There is not, as far as I remember, a single village in the tract under report which did not raise the question of browsing in protected forests. The main arguments were that efficient cultivation in the hills is impossible without the fertilising manure of sheep and goats, and that in pure chir forests browsers do not cause any appreciable damage. In this tract the question of browsing cannot be dismissed summarily on the analogy of Hazara and with a reference to the Salt Range. At Forest Settlement reserved forests were demarcated first with great care and much concern for the comfort of the people. Protected forests were left for demarcation after the work on reserved forests was finished, and the policy to be observed with regard to these protected areas underwent constant changes. The people appear to have demanded only grazing for their cattle and a proper wood supply, and to have been careless about what areas were protected so long as these necessities were provided for. Accordingly all protected forests were burdened with grazing, grass cutting, wood and timber rights, and towards the end of settlement there is clear evidence of a feeling that protected forests involved no hardships at all on the people so long as sufficient unprotected waste was left to permit a reasonable amount of extension of cultivation. I do not mean that the question of browsers received no consideration at all. There are one or two references to the waste being sufficient for sheep and goats. But the chief consideration was the extension of cultivation to which so much attention was paid that it was at first intended to allow cultivation in protected forests, and later the original proposal for reserve forest Seribari contained a proviso that in a certain area of the reserve the zamindars should be allowed to bring new soil under the plough. The question of browsers was not insisted on by the zamindars, and never came into prominence.

With the exception of wood supply from *guzaras* and protected forests there is perhaps no grievance that has been voiced more loudly now than this of browsing. From Thun with an excellent waste of 3,348 acres to Arazi Gujal, with an uncultivated area of only 13 acres, almost every village has cried out for permission to browse sheep and goats in protected forests.

In these hills the great distinction of soils is not between irrigated and unirrigated or between clay, loam and sand, but between manured and unmanured land. The average zamindar is unable to keep more than a couple of plough cattle, and he cannot look to them for the nourishment of his land. But sheep and goats are cheap, and manure from them is about three times as valuable as any other. To a large extent the proper manuring of the soil is dependent on the presence of a reasonable number of browsers.

The Government of India (in the resolution printed in the Punjab Forest Rules) has laid down the fundamental principle that the interests of sylviculture must in the last resort give way to the interests of agriculture. In the hills sheep and goats are practically a necessity for agriculture. Where browsers are allowed in a protected forest, sylviculture is an impossibility. That is the problem in brief.

I have gone carefully into the case of each village and each hamlet. No arithmetical calculation of the number of browsers requisite for each acre of manured soil or of the proportion to be observed between cultivation and waste would be of any real practical value. The only practical method is to consider on the spot the amount, nature and accessibility of the waste, the nature of the cultivation and the methods of agriculture, and the general condition and prospects of the village or hamlet. After consultation with you, the Forest Officer and the people, and after careful consideration, I have come to the conclusion that there is, at present, no necessity to burden any protected forest with rights of browsing, nor need the question of allowing browsing be raised for several years to come. In general all villages in these hills were treated at Forest Settlement, if not with excessive generosity, at least very justly. The hardest cases are those of Thuthar and Balriha, mentioned below, a few small villages around protected forest Chinam, and one or two hamlets included within the boundaries of protected forests and allowed no area, except the land under the plough, for the maintenance of sheep and goats.

The series of forest notes to be filed in the district office contains a note about protected forest Chinam, which gives in detail the condition of each of the surrounding villages. The forest covers a cluster of hills which start up sudd

The surrounding villages are plain villages, and have been left not markedly worse off than the neighbouring villages of the Peshawar plain. The forest does cause the people a considerable amount of inconvenience, but I am not prepared to say that sylviculture and agriculture are in conflict. The question is really one of conservancy. Fifty years ago the forest was flourishing. Its condition has gradually deteriorated. Now there are some signs of improvement. If conservancy can be made efficient the possibilities of the forest and its proximity to Rawalpindi cantonment make it desirable to retain it as a forest. The existing burden of rights is heavy, and any further relief could take the shape only of complete disforestation. There is not a case for that at present, but I think it should be understood that only efficient protection can justify the existence of the forest, and that the not altogether groundless complaints of the surrounding villages have been rejected, but the fate of protected forest Chinam has not been finally settled.

The question of inhabited "chaks" inside protected and reserved forests is simply the question of goats and sheep. All such chaks have the usual protected forest rights in the surrounding forest, that is grazing, grass, wood and timber are secured to them. For instance in reserve forest Kerl Dhoks Narel (34 acres and 4 houses) and Kalasar (25 acres and 3 houses) have grazing, grass-cutting, dry wood and timber rights over the surrounding portion of the reserve. Many have also a few acres of *guzara*. The hardest case is that of Kharatian in protected forest Samli. The area is 17 acres, and each field has been demarcated as a separate chak. There are two houses, of which one has recently been deserted. I find, however, that the condition of the hamlet is quite as flourishing now as before the Forest Settlement, when there was only one house. The actually cultivated area has increased. The existing rights are sufficient. The case of all these inhabited chaks is similar, though not so hard. No one of these chaks is large—Dhok Narel is the largest—and no one appears to be less well off than before the Forest Settlement. I have made no proposals for them. I therefore propose that the question of any general extension of rights, especially the grant of browsing rights in favour of villages and hamlets, whether inside or outside forests, be definitely decided in the negative. The question has been raised in season and out of season and with great earnestness for many years, and a definite decision should be given both in the case of village and inhabited chaks. Otherwise every succeeding district officer will be assailed with complaints of this kind. The particular proposals I have to make are as follows:—

I.—Dhok Phirpirian Forest—Reserved Forest Sang and Protected Forest Phirpirian.

This hamlet lies on a small plateau on the western slopes of Danohi Masinian ridge of the Narh system, just below the crest of the ridge. The boundary of protected forest Phirpirian runs along the crest and down the western slopes south of the hamlet. The boundary of reserved forest Sang runs across the slopes just below the hamlet clear of which it ascends to the top of the ridge. The Dhok thus is encircled by forests reserved and protected. It is made up of lands of *mauza* Sang and *mauza* Letrar Bala as follows:—

	Cultivated area.	Uncultivated area.	Total cultivated and uncultivated.
Mauza Sang	114-9	51-13	166-2
Mauza Letrar Bala	270-11	240-18	511-9
Total of Dhok ...	385-0	292-11	677-11

The figures are kanals and marlas.

The two villages are practically "khet-bat" inside the Dhok. The whole of the waste is steep, much of it precipitous and rocky. Without grazing rights in the immediately adjoining protected forest—protected forest Phirpirian—the hamlet would not be habitable. But according to notification No. 63, dated 17th February 1887, and the forest record of rights, the only right-holders in protected forest Phirpirian are villages Sang and Marinian. Strictly, therefore, the Letrar Bala owners and tenants in this hamlet have no rights in any forest, though they own more than three-fourths of the whole area, and cultivate more than two-thirds of the whole cultivated area, while the remaining small portion of the hamlet has rights in the adjoining protected forest.

There can be no doubt whatever that the intention was to give the whole hamlet rights in protected forest Phirpirian, and that the fact of Dhok Phirpirian belonging chiefly to Letrar Bala and not to Sang was overlooked. This is how the recorded rights

have been interpreted, and rights in protected forest Phirpirian have been exercised from the first equally by all inhabitants of the hamlet, whatever their parent village. All the cattle of the hamlet without discrimination between the two villages have always grazed in the protected forest and grass-cutting and dry wood rights have been exercised by all. Timber rights have not been exercised by any. There is thus no doubt as to possession.

In addition the waste alone is insufficient for the requirements of the hamlet. There are about 30 houses. Grazing is extremely poor in the waste, and there is no supply of timber or fuel. There are a very few chir to the north on the border of reserve forest Sang: all immature and in number not more than about twenty or thirty. The Dhok is within the area of heavy snowfall and timber and fuel are a necessity. Rights in protected forest Phirpirian for the whole hamlet are a necessity of cultivation.

On the grounds of original intention, possession and necessities of cultivation, I propose that the right-holders in protected forest Phirpirian should be recorded as mauza Sang, mauza Marinian aud Dhok Phirpirian. This does not amount to burdening the forest with new rights, but is merely a correction of the papers.

This hamlet is extremely badly off for water. Several of the houses have small shallow tanks constructed alongside them to hold rain water, but these soon dry up as the Dhok is a bare patch at the top of a very steep slope. The only other open water-supply is a stream running through protected forest Phirpirian, but this is at a very great distance from the *abadi* and is not available for sheep and goats. The old water-supply of the Dhok is a spring just inside the boundary of reserve forest Sang north-west of the *abadi*. This water-supply never dries up, and is the head of the stream known as "Jandiwala Kas" and lower down as "Hilanwala Pani." It is within a hundred yards of the Dhok boundary, and above two hundred yards from the *abadi*. In spite of its situation within a reserved forest it is in constant use, and a well worn pathway runs down to it.

I searched the hamlet carefully for signs of any other permanent water-supply, but could find none. I therefore propose that a right of way be granted from the "abadi", to this spring, and be recorded in the forest papers.

I have indicated on the accompanying map the position of the spring. Without this spring the Dhok has no legitimate water-supply during the hottest and driest months of the year, when the Dhok is full and the maize is on the ground.

II.—Dhok Thuthar, mauza Sehr, Protected Forest Thuthar.

The Hat and Bandiwala streams, coming from the west and south-weast, respectively, join below Salgraon. The angle between them is occupied by the series of ridges, consisting of a steep ridge running north and south just east of Sehr village from the Bandiwala to the Hat ravine, and of a number of sharp spurs running out east from this ridge to the junction of the two streams, and separated from each other by a number of small ravines. The whole of the angle between the two *nullahs* has been demarcated as protected forest Thuthar, except that at one or two places on the Bandiwala *nullah* the southern boundary has been drawn back to exclude from the forest a few small patches of cultivation which go to make up Dhok Kund, and on the north Dhok Thuthar is wedged in between the forest and the Hat *nullah*.

You will see from the accompanying map that Dhok Kund, which lies on the north bank of the Bandiwala *nullah*, has reserved forest Nalaser opposite it on the other bank. The boundary of protected forest Thuthar runs across the slopes above it to the north and leaves practically no waste. The hamlet is exceedingly small. It is completely shut in by forests, but the protection of the steep slopes on both sides of the *nullah* is imperative, and nothing can be done for the hamlet. It lacks nothing but browsing, and there is no opportunity for providing for that.

But the case of Dhok Thuthar is different. This is a large hamlet lying on a flat on the south bank of the Hat *nullah* with some cultivation across the nullah up to the borders of mauza Salgraon. The *abadi* is, as shown on the map, close to the boundary of protected forest Thuthar, and all the houses are south of the *nullah*. The *nullah* below Salgraon is open and wide, but further up is narrow with steep banks. The hamlet belongs to mauza Sehr, from which it is cut off by a tongue of the forest. From the configuration of the ground and the position of cultivation the hamlet is practically cut off from the large *guzara* of mauza Sehr. There is no possibility of the village cattle and goats crossing the Kas, circling round the projecting portion of the forest and arriving at the village *guzara*. The Dhok is confined to its own area, which is 67 acres cultivation and 27 acres waste. There are about 30 houses. The soil is a fine loam, detritus from the *nullah*. It is hopeless to expect such a place to do without browsers, and a good many are kept. The village *guzara*, as I have said, is practically inaccessible to these, and the result is a great deal of illicit browsing in the forest.

The parent village has a cultivated area of 631 acres and 1,356 acres waste. The whole of this immense *guzara*, which is of fair quality, is closed to Dhok Thuthar, which has to rely on 27 acres waste alone. Only a detour of several miles brings the Thuthar cattle to the waste, and even then the way is blocked by cultivation.

A Dhok of this size and quality of soil deserves to be treated with more consideration than insignificant areas like Dhok Kund. The forest does press hard on cultivation. Dhok Thuthar clamours for browsing throughout the forest. This would amount to disforestation, and is out of the question. But the Dhok maintains its present standard of cultivation by systematic illicit browsing in the forest. The proper remedy, and what the Dhok has right to demand, is to give it access to the large Sehr *guzara*. Without this efficient cultivation in the Dhok is not possible. This can be done easily without making any serious change in the forest. I propose to throw open, by including in the *guzara*, the tongue of the forest on the north-west which runs down to the Hat *nullah*.

This will be no loss to Government. The whole area of the forest is 364 acres. Bare rocks are everywhere exposed, often in sheets; only in ravines is there any soil. Vegetation is exceedingly poor. There is no grass. Trees are a few scraggy much lopped phulai, and an occasional immature chir in the ravines to the east. The area I propose to open amounts to about 40 acres, and is exceedingly poor. The alteration would give an exceedingly good natural boundary. The northern boundary would follow the top of the small ridge running behind the Thuthar *abadi*, till it met the high ridge running north and south, and would then follow the crest of that ridge west and south-west towards the Bandiwala *kas*, instead of descending to the Hat *nullah*. The forest would thus include the steep slopes down to the Bandiwala *nullah*, and would comprise an area naturally distinct from the cultivated and inhabited lands of Sehr and Thuthar.

The benefit to Thuthar would be great. It would have ready access to the extensive *guzara* of the parent village, and would no longer be confined to its present miserable piece of waste.

III.—Dhok Bindla (mauza Beor) and Protected Forest Bindla.

The case of this hamlet is peculiar, and the question raised is different from any other mentioned in this report.

From Kultea village the Utrina ridge runs down to the Jhelum by an unbroken slope with an eastern aspect. Close to the river and on this slope lies Dhok Bindla, an outlying hamlet of Beor village, owned by the four joint owners of Beor, the family of Khushhal Khan, and cultivated by occupancy tenants and mokarraridars. Its cultivated area is 17¾ acres, and there are ten houses.

According to the forest record of rights and notification No. 63, dated 17th February 1887, the charter of all protected forests, protected forest Bindla runs from the top of the slope by mauza Kultea right down to the Jhelum, and the only portion of the slope excluded from forest is the cultivated area of Dhok Bindla. There can be no doubt that this is the meaning of the notification, as the only eastern boundary is the Jhelum river, and the area given must include everything but Dhok Bindla. The forest as thus notified and recorded in the forest record is of a total area of 588 acres, made up of 224½ acres, the upper portion from mauza Kultea, and 363½ acres, the lower portion, from mauza Beor. The Beor contribution is khasra No. 722 in the last settlement papers of Beor, and encircles Dhok Bindla.

On the spot and in the village papers things are quite different.

The village jamabandi continues to show the whole of No. 722 as included in Beor, and not in the forest. The parcha bahis issued to the people of Beor agree with the village jamabandi and not with the forest record. Originally No. 722 was shown in Beor in the shajra kishtwar, but the boundaries of No. 722 have been cancelled in red-ink, and a note added that according to robkar of 6th June 1885 this line has been cancelled. The change is signed by the patwari and munsarim alone. No responsible officer has attested the change, and no effect has been given to it in any other of the village papers. The Beor record of rights, in short, shows the whole of 722 as belonging to the village and not to the forest.

On the spot possession appears to follow the village papers. Roughly, 3½ acres (27 kanals 15 marlas) have been broken up gradually from No. 722 without let or hindrance, and two houses have been erected on this new land. There are about ten goats at present in the Dhok, and for these the only browsing is in the surrounding waste, which according to the notification is forest. There can be no doubt whatever that the inhabitants of the hamlet have been in possession of at least the waste immediately surrounding cultivation.

During the recent demarcation of chaks the boundaries of Dhok Bindla were laid down as in the forest record of rights. The owners, tenants and inhabitants promptly objected on the following grounds :—

(1) We have always up to date been in possession of No. 722, which is our milkiyat. We have broken up land from it and erected houses. Our sheep and goats have browsed over it without let or hindrance from the Forest Department.

(2) To include this number in the forest will cause very great hardship to Dhok Bindla, which includes ten houses.

(3) The surveyor who demarcated the forest did not summon the owners of Beor. No pillars were erected. No. 722 has not been excluded from our milkiyat in the village record of rights, and we were never informed that No. 722 had been included in the forest.

(4) We refuse to give up the land, our milkiyat, without compensation.

The question of milkiyat and compensation does not arise, because Beor is a zamindari village, and in zamindari villages the waste—proprietary—was always included in a protected forest without any question of compensation. For instance the present owners get no compensation in Las, Beor and Kanand. The real questions are—have possession and forest conservancy followed the village papers and not the forest papers and the notification, and is efficient cultivation in Dhok Bindla impossible without some waste?

I regret that prolonged search by myself and the Extra Assistant Settlement Officer has failed to bring to light either the original propsals for and orders on the demarcation of this forest or the robkar of 6th June 1885 referred to by patwari and munsarim on Beor shajra.

Mr. Robertson (Forest Settlement Officer) in the village statement at page 42 of his printed book on the Forest Settlement, has noted that Dhok Bindla is well off for waste and grazing. This statement appears to belong to the early part of 1885, and was out of date long before the proposals were complete. It is at least earlier than the robkar of June 1885.

The only documentary evidence I can put before you is the notification, the forest record of rights, the village record of rights, and Mr. Robertson's note. These are given in order of importance. Beyond doubt the forest, as sanctioned by Government and gazetted, extended from the Kultea to the Jhelum, included the whole of No. 722 and left Bindla only its cultivated area, but equally beyond doubt we must now make up our minds to an alteration of the gazetted forest boundaries.

The discrepancies in the papers and the method of Forest Settlement leave no doubt in my mind that the original proposal for protected forest Bindla gave Dhok Bindla not the whole of No. 722 as *guzara*, but a considerable area. A waste of 363 acres could not have been granted to a hamlet of only **17** acres. Later when the feeling grew, as it undoubtedly did, that rights in protected forests had been granted very generously, and that waste was not always a necessity, the original proposal was modified, and the whole of No. 722 was thrown into the forest. Effect to the change may have been given on the spot by the patwari and munsarim, but the village papers were not altered and no new parchas were issued to the villages informing them of the changed proposals. This was precisely what happened in other hamlets, *e.g.*, Khatatian, with the exception that elsewhere effect was given to the alteration in the village papers. The forest papers show the modified proposal, the village papers the original proposal. Whether the villagers were left in ignorance of the change is impossible of proof, but there is nothing to show that the new orders were communicated to them. What is beyond doubt is that they have been allowed to exercise proprietary rights over the gazetted forest area immediately adjoining the hamlet. These proprietary rights included *nautour*, and I think also included browsing to some extent. There is no case in the whole of these hills of a hamlet of ten houses being left with only its cultivated area for subsistence. The Dhok could have maintained its prosperity as it has done only by a certain amount of browsing. The forest around the Dhok is poor scrub, and there is nothing in its condition to show that browsers have been altogether excluded.

Possession has in fact extended to the waste immediately surrounding the hamlet, but not to the whole of No. 722.

It is not possible now to go back on what has taken place since Forest Settlement. It would be exceedingly unjust to stop the new cultivation and throw down the two houses erected. Nor would it be equitable to deprive the hamlet of its present prosperity by closing the waste which we have allowed it to consider as its own after the final word on Forest Settlement had been said.

If the final intention was to leave the Dhok only its cultivated area, some change is now necessary for reasons other than possession. This is by far the largest hamlet included in any protected forest. No hamlet nearly approaching the size of Bindla has been left inside a forest without some allowance of waste. It can only have been by an oversight that a hamlet with the population of Dhok Bindla was confined to an area of 17 acres alone, Dhok Burjan (4 houses and 8½ acres cultivation), shut in between protected forest Khad, in which it has rights, and reserved forest Bandhil, was allowed browsing rights for goats. sheep and camels over 56 acres of the reserved. Similar cases could be multiplied many times. The general principle adopted was that a hamlet with a settled population should always have a reasonable amount of waste. This is the case of Dhok Bindla. It is impossible to confine a hamlet of this size to its own cultivation. It is not a fair compromise between agriculture and sylviculture. I propose that a bay should be formed in the forest with the river as a base, and two small *nullahs* to north and south of the hamlet as boundaries north and south. The map attached shows roughly the proposed boundaries, the position of the Dhok, and the new cultivation. The area included in the bay should be excluded from the forest and entered in the village records in the same way as the old No. 722 in the old village records. The area will probably work out at about 60 acres and contains no valuable forest produce. It will represent roughly the area over which rights have been exercised since Forest Settlement, and will put Dhok Bindla in almost the same position as similar Dhoks similary situated in other forests.

IV.—Mauza Balriha, Reserved Forest Kajliban.

South of the Utrina ridge the plain on which lie villages Jewra, Balriha and Tapiali is at two levels, divided from each other by a precipitous rocky slope with a northern exposure. The northern portion, at the lower level, is bounded on the south by the Panathi ravine, across which rises the steep face of rock to the edge of the southern portion of the plain. The whole of this slope, a narrow strip running east and west for about 2½ miles, has been demarcated as reserved forest Kajliban. The only village injuriously affected by the forest is Balriha, which is divided into two portions by the forest.

The southern and upper portion of the village, containing the best and the most of cultivation and the village *abadi*, has practically no *guzara*. What waste there is consists of curious bare-toothed rocks which start up suddenly through the good cultivated loam. The village *abadi* lies on the very edge of the reserve, as shown in the accompanying map. The southern and lower portion of the village contains some cultivation, a few houses, and practically all the really valuable *guzaras*. To the north of that again lies protected forest Panathi, in which the village has rights.

One-third of reserved forest Kajliban has been burdened in favour of mauza Balrihan with grazing rights (excluding sheep, goats and camels), dry wood rights and timber rights. This area is subject to rotation. No rights of way have been granted.

The effect of these rights is that in years when the scheme of rotation closes the portion of the reserve opposite the village, the greater portion of the inhabitants are deprived of any licit access to their *guzara* and the protected forest in which they have rights; in years when the portion opposite the village is open, only horned cattle can pass through. It was never the intention and can never be fair treatment to divide a village in two in this way. Reserved forest Kohati divided Dhok Ghosragu from the parent village. Kohati, but 105 acres of the reserve between the two places have been burdened with rights including browsing of sheeps, goats and camels.

It is obviously a very great hardship to Balriha to be cut off thus from the greater part of its *guzara*, and in certain circumstances from the exercise of its rights in protected forest Panathi.

I do not think it is a case merely for the grant of a right of way. If a pathway only is given, with the village *abadi* lying right on the reserve boundary, the effect will be simply to set a trap for straying sheep and goats and unwary herdsmen. The proper course is to follow the analogy of Kohati and Ghosragu. I recommend that a strip of the forest, 100 yards broad, directly opposite the Balriha *abadi*, should be open to all animals. The area will be about 5 or 6 acres.

V.—Dhok Kea, mauza Kalabasand.

Dhok Kea, a large hamlet of mauza Kalabasand, stands on a height above the western bank of the Garawala Kas which here forms the western boundary of reserved forest Kalabasand. It contains about 20 houses. Although there is very little waste near the hamlet, it has grazing rights in the adjoining protected forest Ariari and is not badly off in this respect. The only hardship it suffers is from want of a water-supply. The Garawala Kas, on which it stands; is simply the draining channel of the flat stretch of bare sheet rocks which forms the upper portion of reserved forest Kalabasand. In consequence this *nullah* contains water only after rain, and is useless as a permanent water-supply. The only other stream at all near is the Soan, which flows over two miles away to the west on the other side of protected forest Ariari. The real water-supply for the Dhok is a small peren-

nial spring inside reserved forest Kalabasand, and about 200 yards away from the *abadi* on a small *nullah* joining the Garawala ravine. The proposals for reserved forest Kalabasand underwent a good deal of revision, and in the final revision Kea's water-supply was overlooked. In the earlier proposals for the formation of a reserve it is distinctly laid down that the boundaries must be so drawn as to exclude from the reserve this spring "much used by the people of Kea". I have marked the spring on the accompanying map. You will see it is very accessible. It is in fact in constant, though illicit, use. The villagers follow the district road for about 100 yards, and then branch off by a much worn pathway to the spring.

The whole of this hillside is very arid. Soil is very thin. Grey sandstone rock continually crops out. I have visited the place three times, both before and after the rains. On all occasions the *nullahs* were dry, and I could discover no permanent water-supply except this spring.

It is impossible in practice to keep the spring and pathway closed, and I think a right of way should be granted. The existing boundaries of the reserve are the best obtainable natural features, and no alteration is advisable, but it is an absolute necessity for the hamlet to get access to this spring.

I propose that a right of way first along the existing district road and then by the existing pathway should be granted. This will involve creating a new right of way for about a 100 yards only.

The people whose necessities are to be considered are the inhabitants of Dhok Kea alone but probably the best way will be to record the right of way as *rasta am.* In practice Kea alone will make general use of it.

These complete the proposals I have to make. The case of protected forest Dodili Mator has been raised separately.

No. 202-S., dated Simla, 17th July 1907.

From—H. M. Cowan, Esquire, offg. Junior Secretary to the Financial Commissioner, Punjab,

To—The Commissioner, Rawalpindi division.

I AM directed to acknowledge the receipt of your letter No. 1213, dated 10th May 1907, submitting Mr. Dunnett's report on his enquiry into the circumstances of the forests of the Murree and Kahuta tahsils of the Rawalpindi district, and to convey the following remarks on the several proposals made therein.

2. The officiating Financial Commissioner agrees that the grant of a right to browse sheep and goats in the protected forests mean their abandonment as forests and need not at present be considered.

3. The proposal to add Dhok Phirpirian of Mauza Letrar Bala to the list of villages having rights in the Phirpirian protected forest (*vide* last column of schedule attached to Punjab Government Notification No. 63, dated 17th February 1887) is fully justified. Access to the spring in the Sang reserved forest might be given as a privilege, as it is too late to record it as a right.

4. Mr. Dunnett's proposal in regard to the Thuthar protected forest seems to have been to exclude altogether about 40 acres from this forest and include it as *guzara* land in Mauza Sehr so as to give Dhok Thuthar ready access to the *guzara* of the parent village. Mr. Kitchin did not think the disforestation of this area necessary. But if the land is thrown freely open to grazing and browsing it had much better, the Financial Commissioner thinks, be out out of the forest altogether.

5. Mr. Douie is of opinion that the arrangements suggested as regards Dhok Bindla and the Bindla protected forest are very suitable, as are the porposals relating to the Kajliban and Kalabasand reserved forests. The opening of a way to the spring in the latter and permission to animals to graze or browse in a narrow strip of land in the former, which they must cross in passing from one part of Mauza Balriha to the other, would be conceded as privileges.

6. Before the case is submitted to Government, Mr. Douie would feel obliged if you will forward the draft notifications necessary to give effect to the changes proposed, in the case of the 3 protected forests.

7. The five plans received with your letter under acknowledgement, are herewith returned for reference and resubmission, if necessary, with your reply.

No. 99C, dated 21st September 1907.

From—J. M. DUNNET, Esquire, M. A. C. S., Settlement Officer, Rawalpindi,

To—The Commissioner, Rawalpindi division.

IN compliance with the instructions of the Financial Commissioner in paragraph 6 of letter No. 202 S., dated 17th July 1907, forwarded with your endorsement No. 1966, dated 26th July 1907, I have the honour to forward the required draft notifications.

2. These notifications refer only to the three protected forests, Thuthar, Bindla and Phirpirian. In the case of the Thuthar and Bindla forests the areas as now ascertained by changing somewhat exceed my original estimates, but they represent the minimum areas which will remove the hardships complained of. They have the further advantage of leaving the forests with well marked natural boundaries.

3. As the final demarcation will be carried out after the close of settlement, I have had the proposed boundaries demarcated by katcha pillars. I have prepared vernacular maps on a large scale which give the chained lengths and all prominent points on the boundaries with their local names. These maps with detailed vernacular notes will be filed in the Deputy Commissioner's office, and will, it is hoped, make final demarcation and correction of the records easy. A statement in field book form accompanies each file.

4. With regard to the other proposals, the Financial Commissioner's orders are that privileges, but not rights, will be granted. In order to bring these privileges to the notice of the courts, the Forest officials and the people, I suggest that a note should be made at the end of the village wajib-ul-arz and at the end of the wajib-ul-arz in the forest record of rights in the form annexed and marked A. I am doubtful whether the words in section 31 2 (b) of Act XVII, 1887, cover such entries. But as it is necessary that these privileges should be clearly recorded and as the wajib-ul-arz is constantly referred to by the people and by officials, an entry in the village administration paper appears to be much the best method of making any concession effective. In addition, mention of these privileges should be made in the short statements of rights in forests which the Deputy Commissioner proposes to issue to the people.

5. In the case of Kajliban I have slightly altered the original proposals so as to give the whole village of Balriha a free passage to the grazing ground. The area to be opened to browsing has been widened at one end and narrowed down at the other. The area is 5·6 acres, which corresponds with the original proposal. As in the cases of Bindla and Thuthar, katcha pillars have been laid down, and full specification given in the vernacular file which will be sent to the Deputy Commissioner's office.

Endorsement by the Commissioner, Rawalpindi division.

No. 2453, dated Rawalpindi, 24th September 1907.

COPY, with enclosures in original, forwarded to R. C. Bolster, Esquire, I.C.S., Junior Secretary to the Financial Commissioner, Punjab, with reference to his letter No. 202-S., dated 17th July last, and subsequent reminder. Mr. Dunnett's proposals are supported by the undersigned.

APPENDIX A.

NOTE.

Ham, Dhok Phirpirian wálé, yéh bhí arz karté hain, ki Rakh Alif Sang mén ábádi ké jánib shamál-gharb aur Jandi wálé kas ké siré per ek chashmá hai, jis men bamurád abnoshi rástá ham málikán wa báshindgán wa mál maweshi ko bataur riyáit wáguzár kiyá giyá hai, aur áindá bhí tá marzi Sarkár yéh riyáit káim rahégi.

APPENDIX A.

NOTE.

Ham, málikán wa báshindgán Mauzá Balrihá, arz karté hain, ki Rakh Alif Kajli ban mén sé jo tukrá ta'dádi 5 acre 4 kanal 18 marla ábadi Balrihá kè mulhakaur us ké aín jánib shamál hai, aur jo mauká par burjíát sé mahdúd kiyá giyá hai, is tukré per ham sab ko wa níz jumlá áindgán wa rawindgán ko ikhtiár ámad-o-raft wa níz lé jane wa charáne mál muweshi wa bher bakrí ké Sarkár daulat madár ne bataur riyáit atá kiya hai, aur áinda bhi tá marzí sarkár yéh riyáit káim rahegí.

APPENDIX A.

NOTE.

Ham, Dhok Kea wálé, yéh bhí arz karté hain, ki Rakh Kalá Basánd mén ék chashmá ábádí Dhok sé karíban do sau gaz ké fásla par wakiá hai, jis rakh mén bamurád (ábnoshí ham málikán wa báshindgán wa hamáré mál muwéshi ko rastá bataur riyáit wáguzár) kiyá giyá hai, aur áindá bhí tá marzí Sarkár yéh riyáit káim rahégí.

No. 25 (Forests), dated Lahore, 14th January 1909.

From—W. S. Hamilton, Esquire, Offg. Secretary to Government, Punjab,

To—The Senior Secretary to the Financial Commissioner, Punjab.

I am directed to convey the sanction of the Lieutenant-Governor to the proposals contained in paragraphs 4 and 6 of your letter No. 722, dated 30th November 1908.

2. The Lieutenant-Governor agrees with the opinion of the Financial Commissioner expressed in paragraph 3, but with regard to Mr. Dunnett's reference to the fundamental principle laid down by the Government of India that the interests of sylviculture must in the last resort give way to the interests of agriculture, I am to observe that this principle does not apply to forests, the preservation of which is essential on climatic or physical grounds, described in paragraph 4 of Government of India resolution No. 22 F. of 19th October 1894.

3. The draft notifications referred to in paragraph 5 will be published in the *Punjab Gazette.*

I.

GAZETTE NOTIFICATION.

The 14*th January* 1909.

No. 26.—*Notification.*—His Honour the Lieutenant-Governor of the Punjab is hereby pleased to declare that the villages possessing rights in the protected forest Phirpirian, tahsil Kahuta, district Rawalpindi, specified in Notification No. 63, dated 17th February 1887, as mauza Marinian, and mauza Sang, shall from the date of the notification, be mauza Marinian, mauza Sang and Dhok Phirpirian, Dakhli mauza Letrar Bala.

II.

GAZETTE NOTIFICATION.

The 14*th January* 1909.

No. 27.—*Notification.*—His Honour the Lieutenant-Governor of the Punjab is hereby pleased to declare that the area specified below, which in notification No. 63, dated the 17th February 1887, was declared to be protected forest, shall cease to be protected forest with effect from the date of this notification :—

Schedule.

Name of Forest.	District.	Tahsil.	Mauza.	Area in acres.	Remarks.
Part of protected forest Thuthar.	Rawalpindi ...	Kahuta ...	Sehr ...	59·98	Transferred to the shamilat of mauza Sehr, tahsil Kahuta.

Boundaries { *North.*—Kas Thutarwala.
East.—Dhok Thuthar (mauza Sehr).
South.—Protected forest Thuthar.
West.—Mauza Sehr.

Brief description.—A projecting block of the forest, separating Dhok Thuthar from the parent village mauza Sehr; bare of any valuable produce. The nothern boundary is the nullah, the southern boundary the crest of a ridge running from Jandina Nala on the west through Tahl peak to Rihai peak.

Reasons for disforestation.—To allow the sheep and goats of Dhok Thuthar access to the village guzara.

III.

GAZETTE NOTIFICATION.

The 14th January 1909.

No. 28.—Notification.—His Honour the Lieutenant-Governor of the Punjab is hereby pleased to declare that the area specified below, which in notification No. 63, dated the 17th February 1887, was declared to be protected forest, shall cease to be protected forest with effect from the date of this notification :—

Schedule.

Name of Forest.	District.	Tahsil.	Mauza.	Area in acres.	REMARKS.
Part of protected forest Bindla.	Rawalpindi ...	Kahuta ...	Beor ...	98·66	Transferred to mauza Beor, tahsil Kahuta.

Boundaries:
- *North.*—Nullah known as Bhatriwala kas from river Jhelum 834 yards west along the nullah.
- *East.*—The Jhelum river from the junction of Bheriwala kas 832 yards to the junction of the nullah known as Dallan na kas.
- *South.*—Dallan na kas 754 yards west by the nullah from the Jhelum.
- *West.*—Protected forest Bindla.

Brief description.—A block of land on the west bank of the river Jhelum surrounding Dhok Bindla of mauza Beor.

Reasons for disforestation.—Proprietary rights have been exercised over this area by the villagers for the last 20 years. In addition the hamlet is an old settled habitation and the provision of village waste is a necessity of agriculture.

PART B.

I.—Preliminary Reports.

(a) *Attock.*

No. 3455, dated Lahore, 1st December 1902.

From—The Hon'ble Mr. J. WILSON, C.S.I., Settlement Commissioner, Punjab,

To—The Senior Secretary to the Financial Commissioner, Punjab.

I HAVE the honour to submit, in original, with its enclosures, a letter No. 646, dated 17th October 1902, from the Settlement Officer, Hazara, on the subject of Assessment Circles, soils, and prices for the Attock Tahsil.

2. I agree with Mr. Watson that it would be best to adhere to the arrangement of Assessment Circles made by Mr. Steedman at last settlement. I also approve of the proposed classification of soils, which is the result of discussion between us.

3. In calculating what prices are assumed for assessment purposes, the Settlement Officer has taken as the basis of his calculation the average prices of the last 15 years, omitting years of scarcity. For instance, in the case of wheat, he finds the average Gazette price for these 15 years at Rawalpindi was 40 annas per maund, but the average

harvest price, as shown in dealers' books for market towns, in the tahsil itself, was only 34 annas per maund, or omitting years of scarcity 32 annas a maund; from this he deducts 4 annas a maund to allow for the cost of carriage from the village to market, and for deductions made by grain-dealers, as was done in the case of the prices adopted for Jhang, and proposes 28 annas per maund as the price to be taken for wheat. From the statements appended to his report however it will be seen that he calculated his averages on the erroneous system now discarded of adding up the number of seers per rupee and dividing by the number of years, and that if the average for wheat be calculated on the more accurate system now prescribed for adoption of adding the number of annas per maund and dividing by the number of years, the true average price taken from grain-dealers' books, omitting years of scarcity, is not 32, but 34, annas per maund, and calculating on this basis, after deduction of 4 annas per maund for cost of carriage to market, &c., the price which should be assumed for wheat is not 28, but 30 annas per maund or the same as has been assumed in Multan, Fazilka and Peshawar. Seeing that the tahsil is crossed by a main line of railway and has excellent markets within easy reach at Rawalpindi and Peshawar, and that the actual average harvest price of wheat in the Rawalpindi market of those 15 years was 40 annas per maund, I think we may assume 30 annas per maund as the average price for this tahsil.

4. For similar reason I think the Settlement Officer's estimated price of some of the other articles of produce are too low, and would propose the following prices (annas per maund) :—

Produce.	True average of grain dealers' books after deducting years of scarcity.	Price proposed by Settlement Officer.	Price proposed by Settlement Commissioner.
Wheat	34	28	30
Barley	23	17	18
Gram	29	24	25
Taramira	36	32	32
Maize	28	22	24
Jowar	25	20	20
Bajra	29	24	24
Mung	43	36	36
Moth	34	26	26
Cotton	...	64	64

(I have kept low the prices of the inferior grains which are not much sold.) The prices proposed by me compare better with those adopted in recent settlements and may, I think, be safely adopted here.

5. The statistics for *gur* are not sufficient for us to form a safe estimate, and there seems something wrong when it is proposed to adopt a price of Rs. 3-6-0 per maund in Attock as against Rs. 4-7-0 per maund recently adopted in Hazara. I recommend that a further report regarding the prices of *gur* and tobacco be awaited. It might be included in the Assessment Report.

6. The revision of the old maps is progressing rapidly and giving satisfactory results with much less expenditure of time and labour than would be required by complete remeasurements.

No. 646, dated 17th October 1902.

From—H. D. WATSON, Esquire, C.S., Settlement Officer, Hazara,

To—The Settlement Commissioner, Punjab.

I HAVE the honour to submit herewith a preliminary report on the settlement of the Attock Tahsil. The report has been prepared by Mr. Butler, Assistant Settlement Officer, and slightly corrected and added to by myself, but not so as to alter any of his recommendations with all of which I concur.

Table of Contents.

Preliminary Report on the Settlement of the Attock Tahsil of the Rawalpindi District.

Part I.—Assessment Circles.

1. The Attock Tahsil was divided at the last settlement into three circles as explained in paragraphs 15—18 of Mr. Steedman's Assessment Report. By this arrangement 69 villages lying to the north of the Chel Stream and with their centre at Hazro were thrown into the Chhachh Circle, and 44 villages in the sandy plain which stretches to the north and south of Campbellpur and across the Haro River to the Kala Chitta Range on the south were combined into the circle which is known as the Sarwala, whilst a 3rd Circle, the Nulla, containing 83 villages, was grouped round Hasan Abdal, but so as to include the little cluster of villages round about Akhori, where the road from Attock crosses into the Fatehjang Tahsil.

As Mr. Steedman points out in paragraph 17 of his report, it is not easy to draw a satisfactory line between the Nulla and Sarwala Circles. The villages of Nawa, Buta and Akhori are somewhat inferior to the adjoining Nulla villages and have recently ... They have now petitioned to be transferred

from the Nulla to the Sarwala Circle, but on the whole it seems best to adhere to Mr. Steedman's boundaries and to make the necessary allowances in the village assessments. Elsewhere there can be no doubt of the advisability of allowing the circles as fixed by Mr. Steedman to remain unaltered. Their boundaries are shown in the accompanying map, which is a copy of the one which was submitted by Mr. Steedman with his Assessment Report and is now so far inaccurate that the railway has since been re-aligned to pass through Compbellpur, the Kamalpur on the map.

Part II.—Classification of soils.

2. The classification adopted at the last settlement is discussed by Mr. Steedman in paragraphs 37—46 of his Assessment Report. He adopted the following classes for irrigated and unirrigated land respectively :—

A. Irrigated—

(*i*) Chahi = Land irrigated by wells.

(*ii*) Nahri = Land irrigated by springs or cuts from the Haro : and (*ii*) was further sub-divided both according as it was manured or unmanured and according as it bore one or two crops in the year. Thus in adjacent villages the present papers show "lipara nahri," "nahri," "nahri ekfasli" and "nahri dofasli," and this produces an awkward cross classification. Another obvious disadvantage is that no distinction is drawn between irrigation from springs and from channels taken out of a river, with the result that the nahri area is unduly swollen.

B. Unirrigated—

(*iii*) Sailab = Land naturally moist owing either to percolation, such as that lying along the banks of the Chel Stream, or to its situation in or near the bed of a river like the Haro.

(*iv*) Lipara = Land in the vicinity of a village or homestead which receives its drainage or is manured.

(*v*) Las = Land of good quality with facilities for retaining moisture, and in particular the land in the Chhachh plain which is fertilised by the drainge from the Gandgarh Range.

(*vi*) Maira = Loam of all classes without any distinction between the sand of the Sarwala Circle and the richer loam, which characterises the parts round about Hasan Abdal—a very marked discrepancy.

(*vii*) Rakkar = Inferior stony or rocky soil.

3. The following classification (which was sanctioned in letter No. 3514,* dated 10th June 1901, from the Junior Secretary to Financial Commissioner) has been adopted for the present settlement with a view to simplification, and in order to avoid the difficulties referred to above :—

* Settlement Commissioner's No. 1423, dated 22nd May 1902.

J. Wilson,
Settlement Commissioner.

A. Irrigated—
(*i*) Chahi.
(*ii*) Nahri dofasli.
(*iii*) Nahri ekfasli.
(*iv*) Abi dofasli.
(*v*) Abi ekfasli.

The terms nahri dofasli and ekfasli are being restricted to lands irrigated by cuts from the Haro River. The terms abi dofasli and ekfasli are being applied to land made moist by springs as at Hasan Abdal and Wah, &c., to land irrigated from small cuts from petty streams which may or may not be perennial. This seems to be the best distinction to draw between the two terms, though it gives to nahri a slightly narrower and to abi a slightly wider meaning than was first intended.

B. Unirrigated—
(*vi*) Sailab.
(*vii*) Lipara.
(*viii*) Las.
(*ix*) Maira I.
(*x*) Maira II.
(*xi*) Rakkar.

As far as experience goes hitherto it has been found that the tendency on the part of the measurement staff is everywhere to over-estimate the quality of the soils. The lipara area, for instance, is nearly always excessive and is classified rather with a view to its propinquity to the village site than from any facilities it may have for receiving the village drainage. The area classed as las too, at the settlement, was as Mr. Steedman feared, very much in excess. In the Chhachh plain the Patwaris included under this head land of the most ordinary quality without any regard to the course of the fertilising spill from the Gandgarh Range. Steps are now being taken to put this right, and the term las in the Chhcbah Circle will be restricted to the special and technical meaning explained above. In the case of maira lands also any doubt is always solved in favour, as it is thought, of Government, and the area under maira I will, it is probable, be in excess of what it should be. This tendency is perhaps ineradicable, but at the same time it is a fault on the right side and can be allowed for in assessment.

Part III.—Prices.

4. Statement No. I shows for the last seven years the average proportion of the total matured area occupied by each important crop in the Attock Tahsil. It is proposed to work out for each of these crops, with the exception of tobacco which is discussed in paragraph 6 below, the average actually prevailing price as between grain-dealers and cultivators for the period of the currency of the expiring settlement and to deduce therefrom the prices which may be safely used in calculating the produce estimate for the present assessment.

The materials available for this are to be found in the official Gazette prices of the past years, which represent the prices prevailing in Rawalpindi City and will therefore be excessive both as compared with the prices current in the local markets and the prices paid by grain-dealers to cultivators, the circle note-book prices as reported by Kanungos in accordance with the orders referred to in paragraph 334 of the Settlement Manual, and finally the prices entered in the books of Statements II, III and IV A to F have been designed to illustrate these data and may be consulted for the details. Their results are combined in the following table, which also shows the actual average price received by cultivators, this being obtained by subtracting from the prices shown in the grain-dealers' books annas 4 per maund to represent both the cost of carriage from the threshing floor to the local market and the customary deductions made by all dealers in their transactions. This amount was approved for the Jhang Settlement and similar considerations prevail in Attock. It may be premised that the Gazette prices are calculated in seers per rupee and the note-book prices in annas per maund, whilst the grain-dealers consulted in Hazro, Hasan Abdal and in the big villages round about Campbellpur have made their returns on the former basis. It would have been more satisfactory had these last-named figures been worked out in annas per maund, but it seemed hardly worth while to again trouble the sahukars in question, who, as it was, were very loth to give the required information. A separate column, however, has been added throughout this report to show the alternative caculation :—

	Crop.	Average Gazette prices for 15 years, 1887—1901.		Average-note-book prices for 7 years, 1895—1902.		Average traders' prices as shown in dealers' books for 15 years, 1887—1901.		Actual average prices to cultivators for the 15 years, 1887—1901.	
		Seers per rupee.	Annas per maund.	Seers per rupee.	Annas per maund.	Seers per rupee.	Annas per maund.	Seers per rupee.	Annas per maund.
Rabi.	Wheat ...	16	40	15	42	19	34	21	30
	Barley ...	25	26	21	30	28	23	34	19
	Gram ...	19	34	16	40	21	30	25	26
	Taramira ...	Not given		15	44	18	36	20	32
Kharif.	Maize ...	21	30	19	25	23	28	27	24
	Jowar ...	25	26	20	32	26	25	31	21
	Bajra ...	19	34	16	40	21	30	25	26
	Mung ..	Not given		11	56	15	43	17	39
	Moth ...	Not given		15	42	19	34	21	30
	Gur ...	9	71	Not given		11	58	12	54
	Cotton ...	Unginned—9	71	Ginned =2½	248 (six years)	Ginned=2¾	232	...	...

It will be seen that traders' prices have been worked out by mistake for ginned cotton so [illegible] unginned cotton. This has been

assumed in the following paragraph to be 10 seers per rupee or 64 annas per maund on the basis of the Gazette prices. This is, if anything, too high, but as 10 seers was accepted at last settlement there seems to be no need to go lower.

5. Having now arrived at a fair estimate of the actual average prices paid to cultivators in the past, it remains to deduce from them the data to be used in calculating the produce estimate. There is no reason to suppose that prices will fall in the next 20 years. It is possible that they will rise. The whole question is uncertain. Caution, however, demands that a possible fall should be kept in mind. Two course are open,—either a percentage may be struck off the estimated past actuals, which is arbitrary, or years of abnormally high prices may be left out of account in striking the average of past actual figures, and these may be assumed as likely to prevail in the future. The latter is preferable. The following table shows the prices thus arrived at and compares them with those assumed in the forest report and those assumed for the assessment of neighbouring districts. The years excluded have been shown in Statements IV A—E by antique figures which have been omitted from the calculation :—

1	2	3	4	5	6	7	8	9	10	11	12
District.	Price.										
	Wheat.	Barley.	Gram.	Taramira.	Maize.	Jowar.	Bajra.	Mung.	Moth.	Gur.	Cotton.
(a) Peshawar ...	30	18	29	...	*In annas* 21	*per* ...	*maund* ...	...	...	80	71
(b) Jhelum ...	26 & 23	17 & 10	19	32	22	...	20 & 18	23	23	...	58 & 64
(c) Multan ...	30 & 27	22	23	...	...	24	27 & 23	32	...	58	64 & 53
(d) Muzaffargarh ...	27 & 26	20 & 19	24	...	...	21	26 & 23	30	...	53	64
(e) Dera Ismail Khan	27	18	21	...	26	20	26 & 23	40	26	...	58 & 49
(f) Kohat	28	17	24	...	21	...	23	32	27	...	53
(g) Fazilka ...	30	16	18	...	21	21	26	26	21	...	64
(h) Jhang ...	23	18	23	...	24	25	27	32	...	...	59
(i) Hazara ...	27 & 29	18	...	...	23 Haripur	...	28	30	26	71	58
(j) Attock ...	28	17	24	32	22	20	24	36	26	54	64
(k) Forecast for Attock	30	18	26	32	24	...	24	...	26	...	64
(l) Last Settlement ...	20	13	16	14	16	18	16	27	14	...	64
Increase per cent. of (j) on (l).	40%	31%	50%	129%	37½%	11%	50%	33%	86%	...	Nil.

Expressed in seers these rates compare as follows with those assumed at last settlement. It does not seem necessary to repeat the above statement any further :—

	Wheat.	Barley.	Gram.	Taramira.	Maize.	Jowar.	Bajra.	Mung.	Moth.	Gur.	Cotton.
Assumed	23	37	27	20	29	32	27	18	25	12	10
Last Settlement	32	50	40	45	40	36	40	24	45		10

6. With regard to tobacco which now occupies 1·6 per cent. of the total matured area and is likely to increase in importance as well-irrigation is extended in the Chhach Circle, it has been found impossible hitherto to frame any satisfactory estimate. There are no Gazette quotations available and the note-book and traders' returns show very divergent results for the various local markets. The question is complicated too by the matter of dryage. In some places the cultivator sells his crop in June and July and at others much later in the year, and prices vary accordingly. There are too at least three grades of tobacco, the best being grown round Hazro and an inferior quality in Burkan near Hassan Abdal. The question requires further attention and will be discussed, as far as is necessary, in the Assessment Report. No tahsil average price was struck at the last settlement.

Part IV.—Miscellaneous.

7. Remeasurement on the square system was started in 11 villages of the tahsil during the cold weather of 1901-02. Experience, however, proved that the old maps were so accurate that towards the end of April 1902 it was decided, whilst completing the estates already under work, to be content for the future with correcting the old maps. This decision has been justified by the fact amongst others that in 8 of the 11 villages which have now been finished, the percentage of difference between the old and new measurements has never exceeded 2·6 per cent. and in 5 cases the discrepancy is under 2 per cent., in every case the old measurements being found to be in excess. This is mainly due to the old system of calculating areas which, as a rule, gives higher results than the new; and it may be noted that in bringing the old maps up to date it has been considered advisable in order to secure uniformity to adhere to the old system where recalculation of areas is necessary. The new process of correction is a rapid one and is very popular with the people, as it rids them the sooner of the incubus of the Settlement staff and of the burden of providing chainmen for lengthy periods—a very real grievance. The staff too enjoy the variety of the work and its greater simplicity. Indeed the change has saved many Patwaris from dismissal, as there are few who are so incompetent as to be unable to adapt themselves to it, but who would never have been capable of plotting in squares. The results are sufficiently accurate and Government is the gainer by the rapidity with which the operations can be concluded. Up to date in 84 villages out of a total of 196 work has already been commenced and in 19 of these the Patwaris' portion has been concluded. In 18 others too their work is practically completed. The tendency at first was naturally to attempt to go too fast. This though has now been checked, but, even so, it is expected that the measurement work will be practically finished by the June or July of 1903, in which case it will be possible to submit an assessment report by the following August or September. The current settlement expires with the rabi instalment of 1905.

H. D. WATSON,

Settlement Collector, Hazara.

I.

Statement showing for the average of the seven years, kharif 1895—rabi 1902, the proportion of the matured area occupied by each crop in the Attock Tahsil.

1		2	3	4
Crop.		Average matured area (in acres).	Percentage of total matured area.	Remarks.
Rabi.	Wheat	64,416	43·1	
	Barley	10,857	7·3	
	Gram	11,436	7·7	
	Taramira	8,708	5·8	
	Tobacco	2,360	1·6	
Kharif.	Maize	13,310	8·9	
	Jowar	4,348	2·9	
	Bajra	14,460	9·7	
	Mung	4,169	2·8	
	Moth	4,043	2·7	
	Sugarcane	1,733	1·2	
	Cotton	3,766	2·5	
Miscellaneous, whether rabi or kharif ...		5,818	3·8	
Total ...		149,424	100	

M. S. D. BUTLER,

Assistant Settlement Officer, Attock.

Statement showing the Gazette prices of agricultural produce for the period from 1881—1901 as current in the Rawalpindi City, together with the average prevailing prices for the period from 1887—1901. The prices shown are those for June for the rabi, and for December for the kharif, crops.

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21
	1881.		1882.		1883.		1884.		1885.		1886.		1887.		1888.		1889.		1890.	
Name of crop.	Seers per rupee.	Annas per maund.	Seers per rupee.	Annas per maund.	Seers per rupee.	Annas per maund.	Seers per rupee.	Annas per maund.	Seers per rupee.	Annas per maund.	Seers per rupee.	Annas per maund.	Seers per rupee.	Annas per maund.	Seers per rupee.	Annas per maund.	Seers per rupee.	Annas per maund.	Seers per rupee.	Annas per maund.
Wheat ...	12	53	20	32	.	...	32½	19	32	20	23	28	16	40	16	40	19	34	19	34
Barley ..	21	30	29	22	...	...	45	14	55	12	39	16	23	28	22	29	36	18	36	18
Gram ...	15	43	22	29	...	...	35	18	32	20	27	24	21	30	10	32	25	26	23	28
Taramira ...	Not available in the Gazette.																			
Maize ...	...	...	..	...	...	...	46	14	31	21	25	26	16	40	16	40	31	21	24	27
Jowar ...	24	27	37	17	40	16	50	13	29	22	...	...	16	40	22	29	40	16	32	20
Bajra ...	19	34	38	19	47	13	48	13	30	21	30	21	15	43	16	40	28	23	24	27
Mung ...	Not available in the Gazette.																			
Moth ...	Not available in the Gazette.																			
Sugarcane (gur)...	..	...	..	...	...	...	14	46	10	64	9	71	10	64	8	80	9	71	9	71
Cotton ...	...	...	...	...	...	...	...	...	...	...	...	58	8	80	9	71	8	80	10	64

1	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45
	1891.		1892.		1893.		1894.		1895.		1896.		1897.		1898.		1899.		1900.		1901.		Average of 15 years from 1887—1901.	
Name of crop.	Seers per rupee.	Annas per maund.	Seers per rupee.	Annas per maund.	Seers per rupee.	Annas per maund.	Seers per rupee.	Annas per maund.	Seers per rupee	Annas per maund.	Seers per rupee.	Annas per maund.	Seers per rupee.	Annas per maund.	Seers per rupee.	Annas per maund.	Seers per rupee.	Annas per maund.	Seers per rupee.	Annas per maund.	Seers per rupee.	Annas per maund.	Seers per rupee.	Annas per maund.
Wheat ...	15	43	13	49	15	43	25	26	21	30	14	46	10	64	15	43	11	58	12	53	15	43	16	40
Barley ..	26	25	21	31	23	28	32	17	28	23	19	34	14	46	28	23	17	38	17	38	24	27	25	26
Gram ...	21	30	19	34	22	29	29	22	25	26	17	38	10	64	19	34	12	53	11	58	18	36	19	34
Taramira ...	Not available in the Gazette.																							
Maize ...	19	34	16	40	25	26	32	20	22	29	10	64	16	40	25	26	25	26	17	38	24	27	21	30
Jowar ...	21	30	23	28	30	21	35	18	25	25	13	49	15	43	34	19	26	25	19	38	29	22	25	26
Bajra ...	16	40	15	43	22	29	28	23	19	34	9	71	15	43	21	30	20	32	15	43	22	29	19	34
Mung ...	Not available in the Gazette.																							
Moth ...	Not available in the Gazette.																							
Sugarcane (gur)...	9	71	9	71	10	64	10	64	10	64	10	64	9	71	10	64	11	58	9	71	9	71	9	71
Cotton ...	9	71	8	80	9	71	11	58	11	58	9	71	9	71	10	64	9	71	9	71	...	...	9	71

M. S. D. BUTLER,

Assistant Settlement Officer, Attock.

III.

Statement in annas per maund of the prices of agricultural produce returned by Kanungos in accordance with the rules explained in paragraph 334 of the Settlement Manual for the period from kharif-rabi 1895-96 to kharif-rabi 1901-02 (note book prices).

N. B.—The figures include those of two famine years, and the average is thus unduly high.

Crop.	1895-96.				1896-97.				1897-98.				1898-99.			
	Hazro.	Hassan Abdal.	Campbellpur.	Tahsil.	Hazro.	Hassan Abdal.	Campbellpur.	Tahsil.	Hazro.	Hassan Abdal.	Campbellpur.	Tahsil.	Hazro.	Hassan Abdal.	Campbellpur.	Tahsil.
	Annas per md.	Annas per md.	Annas per md.	Annas per md.	Annas per md.	Annas per md.	Annas per md.	Annas per md.	Annas per md.	Annas per md.	Annas per md.	Annas per md.	Annas per md.	Annas per md.	Annas per md.	Annas per md.
Rabi. Wheat ...	43	46	46	45	49	53	53	52	36	38	38	37	34	36	34	35
Rabi. Barley ...	32	32	32	32	38	38	38	38	24	24	23	24	23	23	23	23
Rabi. Gram ...	36	38	36	37	53	58	53	55	36	34	32	34	28	30	28	29
Rabi. Taramira ...	53	53	53	53	53	49	53	52	40	36	36	37	36	34	36	35
Maize ...	26	27	28	27	58	64	64	62	36	38	38	37	23	25	25	24
Jowar ...	21	24	21	22	53	58	58	56	27	32	32	30	23	20	23	22
Bajra ...	26	30	32	29	73	71	64	69	40	40	40	40	28	26	27	27
Mung ...	36	40	43	40	92	71	92	85	64	64	71	66	34	40	36	37
Moth ...	26	29	32	29	64	64	64	64	40	40	43	41	25	29	25	26
Gur ...	Not given		64	...	Not given				71	...	71	71	Not given			
Cotton ...	256	256	256	256 Ginned.	233	249	233	238 Ginned.	256	213	256	242 Ginned.	213	213	213	213 Ginned.

Crop.	1899-1900.				1900-01.				1901-02.				Average Price.	
	Hazro.	Hassan Abdal.	Campbellpur.	Tahsil.	Hazro.	Hassan Abdal.	Campbellpur.	Tahsil.	Hazro.	Hassan Abdal.	Campbellpur.	Tahsil.	Seers per rupee.	Annas per maund.
	Annas per md.	Annas per md.	Annas per md.	Annas per md.	Annas per md.	Annas per md.	Annas per md.	Annas per md.	Annas per md.	Annas per md.	Annas per md.	Annas per md.		
Rabi. Wheat ...	49	..	...	49	36	36	36	36	43	43	43	43	15	42
Rabi. Barley ...	38	...	...	38	25	25	25	25	27	30	34	30	21	30
Rabi. Gram ...	49	...	...	49	36	36	34	35	36	38	40	38	16	40
Rabi. Taramira ...	58	...	...	58	36	32	34	34	40	40	40	40	15	44
Maize ...	43	46	43	44	32	32	34	33	23	21	21	22	19	35
Jowar ...	40	40	43	41	32	32	32	32	20	20	20	20	20	32
Bajra ...	53	49	49	50	40	36	36	37	27	27	27	27	16	40
Mung ...	64	64	64	64	58	58	58	58	43	43	43	43	11	56
Moth ...	53	49	53	52	46	43	49	46	36	34	34	35	15	42
Gur ...	Not given				Not given				58 to 71	...	71	...	...	...
Cotton ...	256	284	256	265 Ginned.	80 Un-ginned	80 Un-ginned	92 Un-ginned	84 Ungin-ned.	256	284	284	275 Ginned	2½ Six years.	248 Gin-ned.

M. S. D. BUTLER,

Assistant Settlement Officer, Attock.

IV-A.

Statement showing the Price of WHEAT for the period from 1887—1901 *as entered in the books of grain-dealers.*

1	2	3	4	5	6	7	8	9	10
Year.	Hazro.		Hasan Abdal.		Campbellpur.		Tahsil average.		Remarks.
	Seers per rupee.	Annas per maund.	Seers per rupee.	Annas per maund.	Seers per rupee.	Annas per maund.	Seers per rupee.	Annas per maund.	
1887	16	40	16	40	16	40	16	40	
1888	19	34	16	40	17	38	17	38	
1889	25	26	22	29	27	24	25	26	
1890	22	29	20	32	22	29	21	30	
1891	17	38	17	38	18	36	17	38	
1892	16	40	14	46	16	40	15	43	
1893	18	36	16	40	16	40	17	38	
1894	32	20	27	24	31	21	30	21	
1895	24	27	23	28	29	22	25	26	
1896	16	40	15	43	16	40	16	40	
1897	14	46	12	53	12	53	13	49	
1898	18	36	16	40	17	38	17	38	
1899	19	34	18	36	19	34	19	34	
1900	13	49	13	49	12	53	13	49	
1901	19	34	18	36	19	34	19	34	
Average of 15 years ...	19	34	15	36	19	34	19	34	
							18	36	
Average of same period, excluding years of high prices.	...	...	...	...	...	...	19	34	

Antique figures are excluded in calculating the prices to be assumed for the new assessment.

M. S. D. BUTLER,

Assistant Settlement Officer, Attock

IV-B.

Statement showing the price of BARLEY for the period from **1887-1901** *as entered in the books of grain-dealers.*

1	2	3	4	5	6	7	8	9	10
	Hazro.		Hasan Abdal.		Campbellpur.		Tahsil Average.		
Year.	Seers per rupee.	Annas per maund.	Seers per rupee.	Annas per maund.	Seers per rupee	Annas per maund.	Seers per rupee.	Annas per maund.	Remarks.
1887	19	34	22	29	23	28	21	30	
1888	25	26	24	27	25	26	25	26	
1889	34	19	40	16	48	13	41	16	
1890	40	16	40	16	43	15	41	16	
1891	26	25	30	21	24	27	27	24	
1892	19	34	22	29	27	24	23	28	
1893	26	25	24	27	28	23	26	25	
1894	40	16	42	15	48	13	43	15	
1895	36	18	32	20	36	18	35	18	
1896	22	29	19	34	19	34	20	32	
1897	18	36	18	36	18	36	18	36	
1898	28	23	30	21	36	18	31	21	
1899	30	21	27	24	29	22	29	22	
1900	20	32	18	36	16	40	18	36	
1901	29	22	29	22	29	22	29	22	
Average of 15 years	27	24	28	23	30	21	28	23	
							27	24	
Average of same period, excluding years of high prices.	...	...	...	...	...	...	28	23	

Antique figures are excluded in calculating the prices to be assumed for the new assessment.

M. S. D. BUTLER,

Assistant Settlement Officer, Attock.

IV-C.

Statement showing the price of GRAM for the period from 1887—1901 *as entered in the books of grain-dealers.*

1	2	3	4	5	6	7	8	9	10
	HAZRO.		HASAN ABDAL.		CAMPBELL-PUR.		TAHSIL AVERAGE.		
YEAR.	Seers per rupee.	Annas per maund.	Seers per rupee.	Annas per maund.	Seers per rupee.	Annas per maund.	Seers per rupee.	Annas per maund.	REMARKS.
1887	18	36	18	36	21	30	19	34	
1888	27	24	22	29	24	27	24	27	
1889	31	21	28	23	32	20	30	21	
1890	27	24	24	27	7	24	26	25	
1891	18	36	20	32	17	38	18	36	
1892	23	28	20	32	21	30	21	30	
1893	22	29	23	28	24	27	23	28	
1894	34	19	34	19	30	21	33	19	
1895	25	26	22	29	19	34	22	29	
1896	18	36	13	49	19	34	17	38	
1897	14	46	11	58	13	49	13	49	
1898	20	32	20	32	20	32	20	32	
1899	22	29	21	30	24	27	22	29	
1900	14	46	12	53	12	53	13	49	
1901	18	36	19	34	24	27	20	32	
Average of 15 years	22	29	20	32	22	29	21	30	
							20	32	
Average of same period, excluding years of high prices.	...	...	...	...	...	...	22	29	

Antique figures are excluded in calculating the prices to be assumed for the new assessment.

M. S. D. BUTLER,

Assistant Settlement Officer, Attock.

IV-D.

Statement showing the price of MAIZE for the period from 1887—1901 *as entered in the books of grain-dealers.*

1	2	3	4	5	6	7	8	9	10
	Hazro.		Hasan Abdal.		Campbellpur.		Tahsil average.		
Year.	Seers per rupee.	Annas per maund.	Seers per rupee.	Annas per maund.	Seers per rupee.	Annas per maund.	Seers per rupee.	Annas per maund.	Remarks.
1887	18	36	18	36	18	36	18	36	
1888	29	22	26	25	19	34	25	26	
1889	40	16	36	18	38	17	38	17	
1890	27	24	28	23	24	27	26	25	
1891	25	26	20	32	22	29	22	29	
1892	21	30	16	40	14	46	17	38	
1893	24	27	25	26	24	27	24	27	
1894	36	18	32	20	48	13	39	16	
1895	19	34	20	32	19	34	19	34	
1896	12	53	10	64	11	58	11	58	
1897	18	36	18	36	16	40	17	38	
1898	31	21	26	25	20	32	26	25	
1899	15	43	14	45	14	46	14	46	
1900	21	30	19	34	20	32	20	32	
1901	31	21	30	21	24	27	28	23	
Average of 15 years	24	27	23	28	22	29	23	28	
							21	31	
Average of same period, excluding years of high prices.	...	...	...	...	...	...	23	28	

Antique figures are excluded in calculating the prices to be assumed for the new assessment.

M. S. D. BUTLER,

Assistant Settlement Officer, Attock.

IV-E.

Statement showing the price of BAJRA for the period from 1887—1901 as shown in the books of grain-dealers.

1	2	3	4	5	6	7	8	9	10
	Hazro.		Hasan Abdal.		Campbellpur.		Tahsil average.		
Year.	Seers per rupee.	Annas per maund.	Seers per rupee.	Annas per maund.	Seers per rupee.	Annas per maund.	Seers per rupee.	Annas per maund.	Remarks.
1887	18	36	16	40	16	40	17	38	
1888	20	32	26	25	17	38	21	30	
1889	32	20	32	20	32	20	32	20	
1890	24	27	26	25	24	27	25	26	
1891	19	34	18	36	19	34	19	34	
1892	20	32	16	40	19	34	18	36	
1893	25	26	25	26	25	26	25	26	
1894	33	19	32	20	30	21	32	20	
1895	18	36	20	32	16	40	18	36	
1896	14	46	10	64	22	29	15	43	
1897	16	40	16	40	15	43	16	40	
1898	25	26	24	27	24	27	24	27	
1899	14	46	13	49	14	46	14	46	
1900	20	32	18	36	20	32	19	34	
1901	27	24	26	25	24	27	26	25	
Average of 15 years	22	29	21	30	21	30	21	30	
							20	32	
Average of same period, excluding years of high prices.	...	...	...	...	...	...	22	29	

Antique figures are excluded in calculating the prices to be assumed for the new assessment.

M. S. D. BUTLER,

Assistant Settlement Officer, Attock.

IV-F.

Statement showing the average price of various MINOR CROPS for the period from 1887—1901 as shown in the books of grain-dealers.

1	2	3	4
	Average Tahsil price for the 15 years, 1887 to 1901.		
Crop.	Seers per rupee.	Annas per maund.	Remarks,
Taramira	18	36	
Jowar	26	25	
Mung	15	43	
Moth	19	34	
Sugarcane (gur)	11	58	
Cotton (ginned)	2¾	232	

M. S. D. BUTLER,

Assistant Settlement Officer, Attock.

No. 490 dated 29th January 1903.

From—R. Humphreys, Esq. Senior Secretary to the Financial Commissioner, Punjab.

To—The Settlement Commissioner, Punjab,

IN reply to your letter No. 3455, dated 1st December 1902, I am directed to convey the sanction of the Financial Commissioner to the proposals made by you regarding the assessment circles, soils and prices to be adopted in connection with the resettlement of the Attock Tahsil.

3. Three printed copies of your letter and its enclosures are forwarded herewith.

No. 4498, dated 19th December 1903.

From—The Hon'ble Mr. J. M. DOUIE, Settlement Commissioner, Punjab.

To—The Senior Secretary to the Financial Commissioner Punjab.

WITH reference to your No. 6552, dated 13th November 1903, I have the honour to submit with the following remarks Mr. Kitchin's preliminary report of the Rawalpindi Settlement.

2. There is no reason for changing the assessment circles formed at last settlement. It is impossible in Rawalpindi to form groups of estates which are really homogeneous of any great size, but the circles as they exist correspond to broad differences of agricultural conditions.

3. The soil classification of the last settlement may also be retained except that land irrigated from springs should be recorded as abi, as has been done in the present settlement of tahsil Attock. The land in the Murree and Kahuta tahsils recorded as mautor at last settlement (paragraph 151 of Settlement Report) is true abi. Mr. Kitchin has informed me that there are 3 or 4 estates which get irrigation from the Haro in the Rawalpindi tahsil, where nahri will have to be retained as a soil distinction. They really form part of the Panjkatt tract. The irrigated land in which in Attock has been recorded as nahri. The soils should therfore be those detailed by Mr. Kitchin with the addition of abi.

4. The prices adopted for the Rawalpindi Settlement should as far as possible agree with those sanctioned for the Attock tahsil. But it is impossible to adopt the Attock prices throughout. Wheat and bajra cover 63 per cent. of the crop area. In discussing prices I shall only refer to these two staples, and to the 5 crops maize, moth, mung, taramira and sarshaf, in four of which Mr. Kitchin proposes to lower the prices adopted by Mr. Butler and in three of which I propose to reduce Mr. Kitchin's prices.

5. I approve of the exclusion of the 2 years 1896-97 and 1899-1900 from the calculation of average prices. In the Rawalpindi tahsil the traders' price for wheat was 52 annas the maund in the former year and 46 annas the maund in the latter, while gram was even dearer than wheat. No doubt some deduction is to be made for carriage, but one of two or four annas a maund is too little to have much effect on the figures.

6. In the case of wheat the proposed price is 30 annas the maund. In the annexed table the traders' prices for the following periods are compared:—

A.—1885-86 ... ... 1889-90 ... ... 5 years.

B.—1890-91 ... ... 1894-95 ... ... 5 years.

C.—1895-96 1901-02

Omitting two famine years ... ... 6 years.

Tahsil.	A.	B.	C.	Average of 16 years.
Murree and Kahuta	35	37	38	37
Gujar Khan	33	31	35	33
Rawalpindi	32	32	37	34
Fatehjang	32	33	36	34
Pindigheb	34	36	40	37

In Gujar Khan, where wheat has been cheapest, the price fell in 5 out of the 16 years to 30 annas or less. In 1893-94, the price was 23 and in 1894-95, 26 annas, but these were years of very exceptional harvests. I think 30 annas may safely be accepted.

7. The price proposed for *bajra* is 24 annas the maund. A similar table to that given for wheat shows the following results :—

Tahsil.	A,	B.	C.	Average of 16 years.
Murree and Kahuta	24	29	32	28
Gujar Khan	29	28	33	30
Rawalpindi	28	26	29	28
Fatehjang	28	27	31	29
Pindigheb	31	35	30	32

In Fatehjang the price has, in 5 of the 16 years, fallen below 24 annas, but the last year in which the price fell as low was 1894-95 when it is shown as 19 annas. I think 24 annas may be accepted. It is a cautious estimate, but bajra was often cheaper in the ten years between 1885-86 and 1894-95.

8. For maize 23 annas is suggested as compared with 24 annas in Attock. This crop is of no importance outside Murree and Kahuta, but the statistics are fragmentary for these 2 tahsils so I add the figures for Gujar Khan. The figures are—

Tahsil.	A.	B.	C.	Average of 16 years.
Murree and Kahuta	19	29	28	27
Gujar Khan	24	26	30	27

In six of the sixteen years the price in Gujar Khan has been below 23 annas. In 1894-95, it was 18 annas and in 1901-02, 22 annas. Mr. Kitchin's proposed rate of 23 annas may be accepted.

9. For moth Mr. Kitchin proposes 24 annas. This pulse has been cheapest in Rawalpindi and Gujar Khan for which the figures are—

Tahsil.	A.	B.	C.	Average of 16 years.
Rawalpindi	23	23	27	25
Gujar Khan	25	26	30	27

In view of the following traders' prices I think 24 annas a maund too much :—

Year.	Rawalpindi,	Gujar Khan.
1884-85	18	14
1885-86	22	21
1889-90	29	21
1890-91	21	21
1893-94	18	21
1894-95	14	17
1895-96	23	23
1901-02	22	21

I would lower the assumed price to 22 annas.

10. The price suggested for mung is 32 annas as compared with 36 annas in Attock. The figures for Rawalpindi, Gujar Khan and Fatehjang are given below. Those for the other tahsils are incomplete :—

Tahsil.	A.	B.	C.	Average of 16 years.
Rawaipindi	30	29	36	32
Gujar Khan	30	30	43	35
Fatehjang	32	28	35	32

In Fatehjang during the 11 years between 1885-86 and 1895-96 the average traders' price in seven years is never shown as above 30 annas, in three of the eleven years it was below 20 annas. I think the price may be taken as 30 annas the maund, which is the rate adopted for Hazara.

11. For taramira Mr. Kitchin suggests 30 annas. The 16 years average for Fatehjang is 32 and for Pindigheb 31 annas. The figures for Rawalpindi and Gujar Khan are much higher. The crop is a catch one. Moreover it is sometimes sown with bajra being put in soon after the bajra has sprouted. If the bajra fails there is still a chance that something will be got from the taramira in the following rabi. The area therefore shown in the preliminary report, 7 per cent. of the cropped area, is probably much exaggerated, and will have to be reduced in the produce estimate. A price of 31 annas as proposed by Mr. Kitchin may be accepted.

12. The figures for sarshaf are—

Tahsil.	A.	B.	C.	Average of 16 years.
Rawalpindi	43	46	51	47
Gujar Khan	48	45	50	48
Fatehjang	41	42	34	39

The price is comparatively speaking steady. I think 40 annas the maund may be adopted as in Jhelum and Dera Ismail Khan. Mr. Kitchin proposes 38 annas. The area is insignificant.

13. Settlement operations have been started in Rawalpindi with great energy and though I have not yet inspected the work I am confident that a high standard of accuracy is being insisted on.

INDEX.

PART I.—ASSESSMENT CIRCLES.

PART II.—CLASSIFICATION OF SOILS.

PART III.—PRICES.

PART IV.—MISCELLANEOUS.

STATEMENTS.

PRELIMINARY REPORT

OF THE

RAWALPINDI SETTLEMENT.

PART I.—Assessment Circles.

1.—*Physical aspects.*

The Rawalpindi District consists of seven tahsils as follows :—

Attock.

Rawalpindi.

Gujar Khan.

Fatehjang.

Pindigheb.

Kahuta.

Murree.

Of these seven tahsils Attock, which had originally belonged to the Rawalpindi District, and had been transferred to the Hazara District, was transferred back to the Rawalpindi District when the North-West Frontier Province was formed on the 9th November 1901. Meanwhile, however, the re-assessment of the Attock tahsil had begun in October 1901, and the re-assessment of that tahsil has continued under the control of the Settlement Officer of Hazara. The present report, therefore, deals only with the other six tahsils of the Rawalpindi District as at present constituted.

The whole district is of a mountainous and rugged character. There are no canals in the district, and very little irrigation of any kind. The well irrigation is inconsiderable in comparison with the total area under cultivation.

2. With the exception of this well area, and a small area irrigated by springs and flooding from torrents, the whole cultivation is dependent on rainfall, which is generally abundant in the mountainous and sub-mountainous tracts, and is scanty and precarious in the westerly tracts, which form the tahsils of Pindigheb and Fatehjang.

The main lines of communication, whether rail or road, are numerous and good, but the lines of internal communication are nearly always bad. The country is generally so rugged and difficult that only with great expense can good roads be made and kept in repair.

2.—*Existing Assessment Circles.*

At last settlement of the Rawalpindi District, the then Settlement Officer greatly reduced the number of assessment circles which had been found necessary at the first settlement. To determine the assessment circles which should be formed at the present settlement, it is necessary to consider in detail the circles which Mr. Steedman formed at last settlement.

Tahsil Rawalpindi.—The division made was of a very simple character. The north-west corner of the tahsil, which is generally inferior to the rest of the tahsil, was made into one assessment circle under the name of Kharora, the rest of the tahsil remaining as a single circle, called Kandi-Soan. The two circles are briefly described in paragraphs 271 and 272 of the Final Settlement Report of the last settlement.

3. The reasons which led to the formation of these two stand with the same force to-day. The variation in productiveness within the circles is great, but the variation is from village to village, and large circles of wholly uniform characteristics could not be formed. It would be easy to form many small circles

of more uniformity of agricultural conditions, but the large and natural divisions of productiveness are well defined by the existing circles. I, therefore, propose to make no alterations in the present circles.

Tahsil Gujar Khan.—The whole of this tahsil was formed into one assessment circle,—see paragraphs 237 and 238 of the Final Settlement Report. Though the tahsil is not wholly uniform in character, yet it would be difficult to cut it up into any circles, which while uniform in conditions were not also exceedingly numerous. There are a few villages at the extreme east of the tahsil, which are situated on a spur of the Kahuta range of hills, but it is not worth forming a separate circle for them. In this tahsil also I do not propose to make any alterations.

Tahsil Fatehjang.—The tahsil is divided by hills into three assessment tracts which constitute the three circles adopted at last settlement. The Chitta Pahar divides the north part of the tahsil from the rest. The estates to the north of this range were formed into the Nala Circle. Across the middle of the tahsil runs the Khairi Murat Range. The estates north and west of the Khairi Murat Range were formed into the Gheb Circle; the lands in the Gheb Circle are higher and drier, the holdings are larger and the cultivation different from the lands lying north and south of them. South of the Khairi Murat Range is the Sil-Soan Circle. This is the best circle in the tahsil, and there is much valuable well cultivation along the banks of the Sil and Soan streams, from which the circle takes its name. There can be no question of altering the circles in this tahsil. The existing circles are separate in every way and correspond with the natural divisions of the tahsil.

Tahsil Pindigheb.—A description of the existing assessment circles is given in paragraphs 310, 311, and 312 of the Final Settlement Report. Three circles were formed at last settlement,—Makhad, Jandal and Sil.

The Makhad Circle consists of 10 villages among the hills on the banks of the Indus, in the extreme south-west of the tahsil and of the district. The tract is hilly and rocky, with poor soil, and is inhabited by Sagri Pathans, who have nothing in common with the rest of the District. The Jandal Circle is also a small circle, consisting of 21 villages in the north-west corner of the tahsil. The soil here is sandy, the rainfall scanty, and the cultivation differs from that of the rest of the tahsil. This must also remain a separate circle. All the rest of the tahsil was formed into one circle, called the Sil Circle from the stream which runs through it. The villages along the banks of the Sil are much better than the other villages in the circle, but cannot be formed into a separate circle, as the villages south and north of them are of a similar character and must be in the same circle. For these reasons I propose to make no alterations in the existing circles.

Tahsil Kahuta.—In this tahsil the division into assessment circles presents no problem of difficulty. There are three circles. The high hills bordering on Tahsil Murree were formed into the Pahar Circle. The hill tract must of course remain a separate circle. The rugged hilly tract running along the banks of the Jhelum river, south towards Tahsil Gujar Khan, which differs alike from the high hills and from the plains, was made into the Kahru Circle. The rest of the tahsil, which is much broken up into ravines, but is generally rich and well watered, was formed into the Kallar-Kahuta Circle. As in the Fatehjang Tahsil the division into assessment circles is determined by broad lines of physical characteristics and cannot be varied. In this tahsil again I do not propose to make any alteration in the assessment circles.

Tahsil Murree.—The whole tahsil was divided into one assessment circle, and it would be impossible to make any division of the tahsil which would be of any use for assessment purposes.

3.—*Proposed Assessment Circles.*

It will be seen from the above paragraph that I do not propose to make any change at all in the assessment circles made by Mr. Steedman at last settlement. I think that I may venture to say that Mr. Wilson, the Settlement

Commissioner, now on leave, who was for several years Deputy Commissioner of this district, approved of my proposal to leave the assessment circles formed at last settlement unaltered in the present settlement. My proposed assessment circles are, therefore, as follows :—

Tahsil.	*Assessment Circle.*
Rawalpindi	Kharora. Kandi-Soan.
Gujar Khan	Gujar Khan.
Fatehjang	Nalla. Gheb. Sil-Soan.
Pindigheb.	Makhad. Jandal. Sil.
Kahuta	Pahar. Kahru. Kallar-Kahuta.
Murree	Murree.

A sketch map of the district showing the proposed assessment circles is attached.

PART II.—Classification of Soils.

4.—*Classes of soils at last settlement.*

The question of the classification of soils should, in accordance with paragraph No. 227 of the Settlement Manual, have been reported for orders at an earlier date than the other subjects for discussion in the Preliminary Report. I did not feel myself in a position to report on the subject of the classification of soils until I had obtained sufficient experience to enable me to report with confidence. At the same time the work in progress is proceeding on the lines now proposed for sanction, and the only advantage to me of the delay in the submission of the report is that I can report with more confidence than would have been possible at an earlier date. The advantage, however, is a very real one. The classification of soils adopted at last settlement is described in paragraph 151 of the Final Settlement Report. The classes sanctioned were as follows :—

Chahi.—Land irrigated from wells.

Nahri.—Land irrigated in any other manner.

Sailab.—Low-lying alluvial land naturally moist.

Lipara.—Lands either lying around the village site, or separate hamlets, and receiving its drainage and enriched by the habits of the people, or are lands which are artificially manured.

Las.—Lands either lying in a depression, and consequently moist by position, which receive surface drainage from land situated higher up, or are lands artificially embanked to retain moisture and soil washing. These are usually excellent lands.

Maira.—All lands not irrigated or artificially manured and which are not so inferior in fertility are to be classed as maira.

Rakar.—All the poorest lands of the district.

In addition to the above, certain subsidiary distinctions of soil were drawn under the main classification. Thus nahri lands were divided into ekfasli and

dofasli, while the local names for sailab, *viz.*, mal, mat and seo were used instead of the name of the class to which the soil belonged. Mal, mat and seo are only different names for the same class of soil, but are better understood by the zamindars than the word sailab. Further the local names do not denote the spilling of flood water, which is the usual characteristic of the sailab land, but is unusual in the case of the sailab lands of this district, which are generally moist by position.

5.—*Proposed soil classification.*

The main use of soil classification, as I understand it, is for the purpose of assessment and distribution of assessment. A secondary use is for agricultural statistics. With regard to agricultural statistics refinements of soil classification are of no use as the statistics do not recognise or record any such distinctions. For the purposes of assessment, fine soil distinctions are even less useful. In the early settlements when assessments were based only on statistics collected during settlement, the Settlement Officer had to wait till his measurements were finished and then compile his statistics on the soil classification which he had adopted for the purpose of his settlement. Now the principal materials for assessment are the crop returns prepared long before the settlement begins. Any radical alteration in the classes of soils, if any use is to be made of them at all, renders it necessary that the Settlement Officer shall wait till measurements are completed before preparing statistics for assessment, and such statistics can only be prepared by excerpting fields from the crop registers and preparing annual statements afresh, at the expense of many months' work. It is, in my opinion, only very strong necessity which can justify a procedure which would delay for a long time the termination of settlement operations. With regard to the question of the distribution of the assessment, elaborate soil classification will not, I think, be found of any more use there than in the assessment itself. The zamindars, who know their own business best, will not accept the Patwari's classification, unless it is of the simplest character. For the above reasons, it is not, I think, expedient to introduce any classification of soils which did not exist at last settlement. In addition to these reasons, there are other reasons which have no less weight with me. Classification of soils is the Patwari's opportunity. I, therefore, propose to adhere generally to the classification of last settlement, only altering slightly the definition in the direction of greater clearness and with the object of explaining more precisely exactly what is meant by the classes existing, and of providing, when possible, a definite standard by which the work of classification can be made and judged. However, I fully recognise that, for the purposes of assessment, I must be content with the crop returns prepared before the reclassification began, and that the new classification will have only a secondary influence on the assessment, though a much greater influence on the distribution of the new assessment. The classification, therefore, which I propose to adopt is as follows:—

Chahi.—All lands irrigated by wells.

Nahri.—Lands irrigated in any other manner.

Sailab.—Lands flooded by streams, or which by the proximity of water are naturally moist.

Lipara.—Lands adjoining a village and site and enriched by the drainage of the village site or by the habits of the people, or land which is habitually manured, and is of excellent quality. Such land generally is double cropped.

Las.—Land lying in a depression and receiving water from other lands, or lands in which embankments have been built to retain drainage. Such land always is of excellent quality.

Maira.—Ordinary barani lands not included in any of the above classes.

Rakar.—Barani lands which are so stony, or sloping, or unfertile, that they cannot be classed as maira.

I propose to do away with all the distinctions between nahri lands, which were made at last settlement, and also to class sailab crops as sailab, and not under the different names which were used at last settlement, but which have always been ignored in the crop returns. I do not propose to divide maira crops into two classes and I am strongly of opinion that any sub-division is of no use.

With regard to nahri class, all lands entered in that class are watered by springs and would be more properly classed as abi. No true nahri exists in the six tahsils under report. I have preferred to retain, the old name nahri, solely on the ground that it is the old name, and that all annual papers have been prepared on the basis of that name. At the same time should it be thought advisable to change the name of this class from nahri to abi—I have no objection nor would the change affect the work which has been done—all nahri entries would be simply changed into abi when preparing the jamabandis.

Classification of soils is in progress according to the classes now proposed for sanction. Changes in the class of soil entered at last settlement may only be made by Naib Tahsildars, who have to personally inspect each such field. Complaints were not infrequent at first, but they are less frequent now, and the work is, I think, being done with care. The rules under which the classification is being done have received the sanction of Mr. J. Wilson, Settlement Commissioner, now on leave, but I am not entitled to say that the classes now reported for sanction have received his formal approval, or that he has expressed an opinion on them.

PART III.—Prices.

6.—*Materials available.*

The enquiry into prices was conducted by me or by the Settlement Tahsildars acting under my immediate supervision. The materials for determination of the prices prevailing at various periods are the Gazette prices printed every fortnight in the Gazette; the wholesale market prices obtained from the books of wholesale grain dealers at the principal markets; traders' prices obtained from the books of village money-lenders recording their transactions with zamindars; and, lastly, the prices entered in the village note-book at harvest. The note-book prices since 1895 have been entered only in the circle note-books by the Girdawars, but I have also availed myself of the prices recorded by Patwaris before that date. The enquiry has extended over the 18 years, 1885-1886 to 1902-1903, these being the years which have elapsed since last settlement. The harvest prices have been taken for the beginning of the month of Har (June-July) for the spring harvest, and of the month of Magar (November-December) for the autumn harvest.

7.—*Enquiry into prices.*

Enquiry into prices was made at the following villages:—

Tahsil Rawalpindi—Rawalpindi, Dheri Shahan and Banda.

Tahsil Gujar Khan—Gujar Khan, Kazian, Sukho and Daultala.

Tahsil Pindigheb—Pindigheb, Jand and Thatta.

Tahsil Fatehjang—Fatehjang, Chakri and Bahtar.

Tahsils Kahuta and Murree—Kahuta, Kallar and Murree.

The average taken from the note-books was taken from a very much larger number of villages. To get reliable records of prices from traders' books is not easy. So many elements combine to affect the prices that it is difficult to deduce the true harvest price from the books:—the degree of indebtedness of the zamindar, the condition of the grain sold, the cost of carriage, the question whether the sale is on the threshing floor or in the shop. All these matters affect the prices in individual sales, and the number of transactions obtainable is not sufficient to eliminate all casual elements of disturbance, and to deduce the true harvest value to a zamindar. Even in the matter of carriage, although the general rule appears to be that the purchaser carries in the grain, yet this is by

no means a fixed rule, and it would be unsafe to assume that the traders' prices recorded are threshing-floor prices. The average price has been determined in the usual way by taking the average price of all the sales recorded, after translating the local measures into standard seers, and thence deducting the price per standard maund. Probably more reliable estimates of the prices could be obtained by assuming a harvest price for each staple after general enquiry, but such method would require a very great amount of labour to ensure accuracy, and I do not feel that I have acquired sufficient knowledge of the trend of prices during the period dealt with, to dispense entirely with averages and to assume prices. At the same time I have not hesitated to cut out of my statistics even attested prices where for any reason I had formed the opinion that extraneous circumstances had affected the value of the material for the purpose of forming an estimate of average prices.

Statements 1 to 6 give for each year and for each tahsil, except that Tahsils Murree and Kahuta have been put together, the prices that have been recorded.

Statement 1 gives the Gazette prices of all the principal staples for each of the years under report. Statements 2 to 6 give for each year and for each tahsil the average wholesale, traders' and note-book prices for each of the staple crops, including several staples which are not quoted in the Gazette. I have given the average price for each of three periods, but in order to deduce the average price for the whole periods, I have excluded the prices of the two years 1896-97 and 1899-1900. These were years of scarcity and of exceptionally high prices, and cannot be included for the purpose of determining the true average prices for the whole period. Tahsils Kahuta and Murree have been taken together, as they were assessed together at last settlement, and it will be advisable to consider them together in this settlement also.

8.—*Average area under the principal staples.*

The following table gives in acres the average cropped area under each of the principal crops, together with the percentage on the whole for the five years 1898-99 to 1902-03:—

			Acres.	*Percentage.*
Wheat	...	...	284,547	37
Barley	...	...	19,524	3
Gram	...	...	25,901	3
Taramira	...	...	50,272	7
Sarshaf	...	...	4,989	1
Maize	...	...	42,269	5
Jowar	...	...	39,846	5
Bajra	...	...	199,251	26
Moth	...	...	28,205	4
Mung	...	...	26,994	3
Mash	...	...	6,036	1
Cotton	...	...	11,318	1
Others	...	...	32,895	4
Total		...	772,047	100

Besides the crops of which detail is given, there is no other staple of which the average cropped area amounts to as much as one per cent. Price statistics have been collected for other staples besides those detailed above, but the statements prepared show only these crops, and not others.

9.—*Table of average prices.*

In the following table are collected by tahsils the average prices entered in Statements 1 to 6, including also the Gazette averages. In this, as in all statements in this report, all prices are stated in annas per maund :—

Average prices for 16 *years* 1885-86 *to* 1902-03 *excluding* 1896-97 *and* 1899-1900.

Tahsils.	Class of price.	Maize.	Jowar.	Bajra.	Moth.	Mung.	Mash.	Cotton.	Wheat.	Barley.	Gram.	Taramira.	Sarshaf.
Rawalpindi ...	Wholesale ...	29	27	44	29	38	53	51	36	24	31	39	51
	Traders ...	26	25	28	25	32	38	69	34	22	30	37	47
	Note-book ...	28	25	30	29	40	49	67	40	26	32	39	49
Gujar Khan ...	Wholesale ...	...	...	42	36	39	...	...	36	16	...	...	53
	Traders ...	27	23	30	27	35	42	63	33	22	30	41	48
	Note-book ...	29	25	29	31	37	47	74	36	25	30	40	48
Fatehjang ...	Wholesale ...	...	...	31	...	...	...	...	38	23	36	37	54
	Traders ...	26	27	29	29	32	53	78	34	21	29	32	39
	Note-book ...	26	25	28	29	40	51	67	36	24	30	36	47
Pindigheb ...	Wholesale ...	35	30	33	31	40	...	63	36	28	30	38	53
	Traders ...	32	29	32	43	34	46	64	37	24	29	31	40
	Note-book ...	27	26	30	31	41	80	68	40	25	30	38	46
Kahuta and Murree.	Wholesale ...	...	...	...	...	...	...	...	...	...	...	...	...
	Traders ...	27	26	28	28	35	42	72	37	25	36	43	51
	Note-book ...	31	29	31	30	40	47	75	44	30	34	46	49
Gazette ...	Rawalpindi ...	30	26	32	...	...	...	69	40	26	32	...	...

The statements at the end of the report show clearly that the tendency of prices has been upward throughout the period under report. The last five years have been years of scarcity and high prices, and prices have ruled unusually high.

10.—*Prices assumed in Attock.*

The question of the prices to be assumed in the reassessment of the Attock Tahsil was reported by the Settlement Officer, Hazara, last year, and orders were passed in December 1902. As the Attock tahsil is a part of the Rawalpindi District, and the markets and communications of Attock are substantially the same as in the rest of the district, and as the new assessment in Attock will begin and end with the new assessment in the other tahsils, it follows that the orders which have been passed on the Attock report must profoundly affect the proposals for the remaining six tahsils of the district. The prices sanctioned for Attock are shown in the following table :—

	Maize.	Jowar.	Bajra.	Moth.	Mung.	Mash.	Cotton.	Wheat.	Barley.	Gram.	Taramira.	Sarshaf.
Attock sanctioned prices ...	24	20	24	26	36	...	64	30	18	25	32	...

To determine whether these prices can be accepted with or without modification as the standard prices for the rest of the district, comparison must be made with the table in paragraph 10 and also with the detailed prices in the statements at the end. It is quite clear that there is no necessity to adopt other than one standard of prices for all the tahsils in the tract now under report. There is no marked difference in prices, and the markets are generally so good that prices maintain a uniform level all over the district. The hill tracts in which it might be expected that prices would be low, are tracts in which prices are maintained at a level quite as high as in the plains.

It is at once obvious that the Attock sanctioned prices can be accepted in the main, almost without reserve, in the tract under report. In no case is there any reason for taking a higher price, and in only a few cases do the Attock prices seem somewhat high. This is only what might be expected as the Attock tahsil is closely connected with the rest of the Rawalpindi District, and markets and communications alike are good.

11.—*Manner of determination of the proposed prices.*

In considering the prices to be assumed I confine myself almost entirely' to an examination of the recorded traders' prices, using the other prices for purposes of comparison only where there is reason to doubt that the traders prices do not correctly represent the price received by the zamindar. The traders' prices are not in all cases threshing floor prices. Indeed it would be unsafe to assume them to be in any degree threshing floor prices although in some cases it is certain that threshing floor prices were recorded. It is not necessary to make any proposal as to the exact deduction to be made for the cost of carriage to the market. That some deduction is necessary before the true price received by the zamindar can be determined is certain, but such deduction varies with every village and with every transaction. Probably a deduction of two annas per maund in the plains, and of four annas per maund in the hills, would be ample. For the purpose of determining fair prices to be assumed I do not think it safe to confine myself only to a consideration of the average prices.

Prices are not likely to fall below the average of the period under report but the average prices are too high for safety. I prefer only to assume prices which will ordinarily be fair, having regard to the prices prevailing in the previous eighteen years, and in particular having regard to the average prices prevailing throughout that period. To enable me to do this I take the prices assumed for Attock and examine them with the statistics prepared for the remaining tahsils, and consider whether the prices sanctioned for Attock can be assumed for the other tahsils, or whether there are circumstances peculiar to rest of the tract which make it necessary to propose prices other than those sanctioned for Attock. To enable me to get at a working test for assumed prices I have made enquiries as to the relative values of the various staples in the opinion of grain-dealers. All grain-dealers have rules by which they work out the comparative value of the various grains, and by which, given the prices of one grain, they determine the prices of other grains. Such rules are empirical only, but they are founded on experience, and are not without a substratum of scientific accuracy, depending as they do on the inter-changeability of the various staples.

The proportional value, of the various grains varies from place to place, but so far as I have been able to determine the prevailing rule in this tract is approximately as follows, wheat being assumed as the unit:—

Wheat.	Barley.	Gram.	Taramira.	Bajra.	Jowar.	Maize.	Moth.	Mung.	Mash.	Sarshaf.
1	1¼ to 1½	1⅛ to 1¼	1	1¼	1¼ to 1½	1¼	1¼ to 1½	¾	11/16	¾

I proceed to consider individually the sanctioned prices in Attock—

Wheat.—This crop occupies 37 per cent. of the average cropped area. The Attock price is 30 annas per maund. The price seems appropriate and I would assume the same price. Barley, gram and taramira occupy respectively, 3, 3 and 7 per cent. of the cropped area. The prices assumed in Attock were 18, 25 and 32 annas per maund respectively. The price of taramira, as compared with wheat, seems a trifle too high, somewhat higher than the statistics for this tract would warrant. I would assume 31 annas per maund for taramira, leaving the other prices unaltered.

Sarshaf.—Occupies 1 per cent. of the average area. In Attock no price was assumed. I would assume 38 annas per maund.

Maize.—Occupies 5 per cent. of the cropped area. The Attock price was 24 annas. This price is somewhat higher than the statistics would justify here. I would assume a price of 23 annas.

Jowar and Bajra.—Occupy respectively 5 and 26 per cent. of the cropped area. The prices assumed in Attock were 20 and 24 annas respectively. I would accept these prices.

Moth.—Occupies 4 per cent. of the average cropped area; and the Attock price is 26 annas. This rate is higher than could be taken here and high in proportion to rates assumed for other grains. I would assume a rate of 24 annas.

Mung.—Occupies 3 per cent. of the average cropped area, and the Attock price is 36 annas. The rate is much too high, having regard to the prices ruling in the remaining tahsil and too high having regard to the other prices assumed. I would assume a rate of 32 annas.

Mash.—Occupies 1 per cent. of the average cropped area, and no price was assumed in Attock. It is a little more valuable than mung. I would assume a price of 36 annas.

Cotton.—Occupies 1 per cent. of the average cropped area, and the Attock price is 64 annas. I would assume the same price. The following table shows in annas per maund the prices assumed at various other settlements, together with the prices assumed for the Attock Tahsil, and the prices now proposed for the remaining tahsils of this district:—

1	2	3	4	5	6	7	8	9	10	11	12	13
	Price.											
District.	Maize.	Jowar.	Bajra.	Moth.	Mung.	Mash.	Cotton.	Wheat.	Barley.	Gram.	Taramira.	Sarshaf.
Peshawar	21	...	...	...	...	...	71	30	18	29	...	...
Jhelum	22	...	20 and 18	23	23	36	58 and 64	26 and 23	17 and 10	19	32	43 and 40
Multan	...	24	27 and 23	...	32	...	64 and 53	30 and 27	22	23	...	...
Muzaffargarh ...	...	21	26 and 23	...	30	...	64	27 and 26	20 and 19	24	...	...
Dera Ismail Khan ...	26	20	16 and 23	26	40	...	58 and 49	27	18	21	...	40
Kohat	24	...	23	27	32	...	53	28	17	24	...	41
Fazilka	21	21	26	21	26	...	64	30	16	18	...	...
Jhang	24	25	27	...	32	...	59	28	18	23	...	...
Hazara	23	...	28	26	30	...	53	27 and 29	18	...	...	...
Attock	24	20	24	26	36	...	64	30	18	25	32	...
Forecast Report, Rawalpindi.	21	...	23	23	...	...	64	29	18	25	29	...
Proposed prices, Rawalpindi.	23	20	24	24	32	36	64	30	18	25	31	38

12.—*Comparison with prices assumed at last settlement.*

The following table compares the prices assumed at last settlement with those now proposed :—

Prices assumed at last settlement.	Maize.	Jowar.	Bajra.	Moth.	Mung.	Mash.	Cotton.	Wheat.	Barley.	Gram.	Taramira.	Sarshaf.
Rawalpindi	14	13	14	14	17	21	64	18	13	16	13	21
Gujar Khan	13	14	16	13	20	20	64	17	12	13	16	21
Fatehjang	16	18	16	14	27	27	64	20	13	16	14	27
Pindigheb	14	13	13	13	18	21	64	18	13	13	14	27
Murree	13	16	16	...	...	20	64	18	16	16	16	21
Kahuta	13	16	16	14	20	20	64	18	13	16	16	21
Prices now proposed ...	23	20	24	24	32	36	64	30	18	25	31	38

Consideration of the percentage of rise of prices will be deferred to the assessment reports.

PART IV—MISCELLANEOUS.

13.—*Miscellaneous matters.*

The settlement began in October 1902, the Settlement Officer himself joining on the 12th October. The establishment joined very slowly and was not at full strength until April of this year. A certain number of Naib Tahsildars and Kanungos had been attached to the district for six months before the settlement began in order to assist in the preparation of the jamabandi, which was prepared for all villages in the district in the year preceding settlement operations. The first three months of the settlement operations passed in training Patwaris and other establishment, and measurements did not fairly start until the beginning of the present year. From the beginning of settlement operations it was decided that re-measurements were not necessary and the maps of last settlement are being corrected on the same system that was already in operation in Attock. Throughout the work of correction of the maps I have availed myself freely of the experience of the new methods gained in Attock. A certain amount of re-measurement has to be done but the number of villages of which the old maps cannot be corrected is very small. A few villages have to be re-measured in order to provide instruction for Naib Tahsildar candidates, and for officials and candidates of higher rank.

In no case does the correction of any village map begin until steps have been taken to check the old map, and determine whether it is capable of correction. In only one case has it been found necessary to abandon and re-measure a village of which the correction had begun.

A good deal of trouble was caused at first by the discovery that in many cases adjoining maps did not fit into one another. Tracings of the adjacent boundaries of all villages were then prepared in the Sadr office and supplied to Patwaris. A divergence in the mapped boundaries of adjacent villages does not necessitate re-measurement, but it does necessitate enquiry and especial care.

The correction of the maps is done upon the Patwari's copy of the settlement map, but it was discovered that the distances had not at last settlement been written on the Patwari's copies of the maps, and the distances had to be entered up before work could begin. Similarly many Patwaris had no copy of the settlement map, and they had to be supplied with copies from the Sadr office.

In all villages in which the maps are being corrected the standard of accuracy in measurement is the standard of last settlement. Greater accuracy than that is not obtainable and is not sought. As a matter of fact the maps finally prepared cannot be so accurate as the maps of last settlement, as the settlement map of this settlement is a tracing from another map, and not itself an original map. In all questions of the attestation of the record-of-rights the standard of accuracy is set as high as possible, and no pains are spared to make the papers as accurate and as complete as they can be made.

14—*Proposed course of work.*

The work of measurement is now going on well. It is not possible to say yet when measurements will be fiinshed, but it is safe to say that by the end of the second year of the settlement the end of measurements will be within sight. I propose to begin village inspection in the Gujar Khan Tahsil this cold weather and should be able to submit an assessment report in the ensuing hot weather. I propose also to submit a separate assessment report for the Rawalpindi Tahsil; the two tahsils of Murree and Kahuta were dealt with in a single report last settlement, and I propose to again submit a single report for these two tahsils. It may be possible to submit a single report for the Pindigheb and Fatehjang Tahsils, but on this matter I prefer to express no final opinion at present. Much depends on whether it will be found possible to give me any additional assistance in the work of assessment and supervision.

A. J. W. KITCHIN.

The 7th September 1903. *Settlement Officer.*

STATEMENT No. I.

Statement showing harvest Gazette prices in annas per maund prevailing in Rawalpindi City for the period 1885-86 *to* 1902-03.

Year.	Kharif.							Rabi.				
	Maize.	Jowar.	Bajra.	Moth.	Mung.	Mash.	Cotton.	Wheat.	Barley.	Gram.	Taramira.	Sarshaf.
1885-86	21	22	21	...	...	...	...	28	16	24	...	...
1886-87	26	...	21	...	...	...	58	40	28	30	...	...
1887-88	40	40	43	...	...	...	80	40	29	32	...	...
1888-89	40	29	40	...	...	...	71	34	18	26	...	...
1889-90	21	16	23	...	...	...	80	34	18	28	...	...
1890-91	27	20	27	...	...	...	64	43	25	30	...	...
1891-92	34	30	40	...	...	...	71	49	31	34	...	...
1892-93	40	28	48	...	...	...	80	43	28	29	...	...
1893-94	26	21	29	...	...	...	71	26	17	22	...	...
1894-95	20	18	23	...	...	...	58	30	23	26	...	...
1895-96	29	25	34	...	...	...	58	46	34	38	...	...
1896-97	64	49	71	...	...	...	71	64	46	64	...	...
1897-98	40	43	43	...	...	...	71	43	23	34	...	...
1898-99	26	19	30	...	...	...	64	58	38	53	...	...
1899-1900	26	25	32	...	...	...	71	53	38	58	...	...
1900-01	38	34	43	...	...	...	71	43	27	36	...	...
1901-02	27	22	29	...	...	...	...	46	32	40	...	...
1902-03	29	21	30	...	...	...	...	40	32	32	...	...
Average of 18 years, 1885-86 to 1902-03.	32	27	35	...	...	...	69	42	28	35	...	...
Average of 16 years, 1885-86 to 1902-03, excluding 1896-97 and 1899-1900.	30	26	32	...	...	...	69	40	26	32	...	...

A. J. W. KITCHIN,

Settlement Officer.

STATEMENT No. II.

Statement showing harvest prices in annas per maund of food-grain in the Rawalpindi Tahsil for the period 1885-86 to 1902-03.

Year.	Class of price.	Kharif. Maize.	Jowar.	Bajra.	Moth.	Mung.	Mash.	Cotton.	Rabi. Wheat.	Barley.	Gram.	Taramira.	Sarshaf.
1885-86 ...	Wholesale ...	22	17	23	19	23	...	...	27	19	27	36	43
	Traders ...	20	16	21	18	24	32	80	26	16	...	32	39
	Note-book ...	16	13	14	15	21	40	64	31	20	26	42	36
1886-87 ...	Wholesale ...	26	26	26	...	...	...	51	44	29	28	50	49
	Traders ...	24	25	26	22	23	27	60	40	25	30	40	43
	Note-book ...	26	20	26	22	25	41	61	48	30	32	36	40
1887-88 ...	Wholesale ...	38	37	39	...	41	...	...	40	28	32	41	48
	Traders ...	32	34	35	...	31	36	64	37	25	20	37	41
	Note-book ...	31	28	33	28	45	53	57	47	30	32	34	38
1888-89 ...	Wholesale ...	38	38	39	...	43	43	...	27	15	43	34	48
	Traders ...	...	34	34	29	37	47	72	27	17	23	29	46
	Note-book ...	39	32	38	33	39	49	75	36	26	30	45	48
1889-90 ...	Wholesale ..	20	18	21	23	36	...	...	32	18	14	45	61
	Traders ...	24	22	23	25	33	46	66	30	18	23	43	46
	Note-book ...	20	19	22	21	41	41	58	33	17	26	40	53
Average of 5 years, 1885-86 to 1889-90.	Wholesale ...	29	27	30	21	36	43	51	34	22	29	41	50
	Traders ...	25	26	28	23	30	38	68	32	20	24	36	43
	Note-book ...	26	22	27	24	34	45	63	39	25	29	39	43
1890-91 ...	Wholesale ...	22	21	22	26	38	43	...	41	23	38	46	54
	Traders ...	20	23	21	21	33	40	71	38	23	37	43	52
	Note-book ...	21	16	22	25	37	53	68	45	31	43	50	56
1891-92 ...	Wholesale ...	33	...	35	...	...	...	...	45	28	32	37	50
	Traders ...	30	33	34	32	35	40	64	37	25	37	36	48
	Note-book ...	37	34	38	36	46	46	73	47	31	38	45	55
1892-93 ...	Wholesale ...	42	28	42	...	...	...	...	41	24	28	32	52
	Traders ...	39	25	38	32	34	40	64	36	22	37	26	...
	Note-book ...	43	35	45	37	43	52	71	58	38	32	37	50
1893-94 ...	Wholesale ...	26	...	27	...	..	...	...	23	15	28	29	48
	Traders ...	18	..	18	18	21	27	71	21	15	20	22	40
	Note-book ...	33	26	34	26	38	49	72	27	17	17	26	36
1894-95 ...	Wholesale ...	23	...	19	17	24	...	...	28	21	26	39	53
	Traders ...	19	16	19	14	24	40	61	26	15	...	37	46
	Note-book ...	15	15	17	16	22	40	60	28	19	25	37	53
Average of 5 years, 1890-91 to 1894-95.	Wholesale ...	29	24	29	21	31	43	...	36	22	30	37	51
	Traders ...	25	24	26	23	29	37	66	32	20	33	35	46
	Note-book ...	30	25	31	28	37	48	69	41	27	31	39	59

Statement showing harvest prices in annas per maund of food-grain in the Rawalpindi Tahsil for the period 1885-86 *to* 1902-03—concluded.

Year.	Class of price.	Kharif.							Rabi.				
		Maize.	Jowar.	Bajra.	Moth.	Mung.	Mash.	Cotton.	Wheat.	Barley.	Gram.	Taramira.	Sarshaf.
1895-96 ...	Wholesale	29	28	32	24	...	...	...	44	33	38	56	60
	Traders ...	25	...	26	22	35	...	68	42	...	...	52	57
	Note-book ...	28	24	33	29	40	53	64	43	33	34	49	58
1896-97 ...	Wholesale ...	66	...	71	66	88	...	...	55	38	54	50	63
	Traders ...	...	33	40	40	43	...	...	50	...	...	47	55
	Note-book ...	58	51	64	64	71	75	63	52	49	64	40	56
1897-98 ...	Wholesale ...	41	...	42	46	67	88	...	40	21	34	35	50
	Traders ...	33	...	39	36	50	...	80	36	20	...	38	47
	Note-book ...	37	37	41	43	58	64	58	37	21	36	34	46
1898-99 ...	Wholesale ...	24	..	27	...	40	43	...	36	23	33	35	42
	Traders ...	24	..	27	25	28	...	...	32	23	30	34	48
	Note-book ...	26	26	28	28	38	46	58	37	25	34	34	49
1899-1900 ...	Wholesale ...	45	...	52	53	67	...	...	54	37	...	56	68
	Traders ...	29	...	29	43	44	48	...	46	18	43	38	52
	Note-book ...	44	41	51	51	61	61	64	50	38	50	51	64
1900-01 ...	Wholesale ...	35	...	38	46	62	57	...	37	23	34	31	48
	Traders ...	35	...	35	32	33	...	64	34	32	30	33	49
	Note-book ...	32	32	36	53	58	64	91	35	23	34	31	53
1901-02 ...	Wholesale ...	24	...	25	30	...	...	...	31	32	35	40	57
	Traders ...	23	20	24	22	33	40	...	39	29	37	38	53
	Note-book .	23	19	24	30	40	45	75	40	30	36	40	57
1902-03 ...	Wholesale ...	27	...	27	30	44	44	...	40	29	31	42	57
	Traders ...	24	22	26	27	37	40	80	39	29	31	40	55
	Note-book ...	28	23	28	30	45	49	75	40	30	33	41	62
Average of 8 years, 1895-96 to 1902-03.	Wholesale ...	36	28	39	42	61	58	...	42	29	37	43	56
	Traders ...	28	25	31	31	38	43	73	40	25	34	40	52
	Note-book ...	34	32	38	41	51	57	68	42	31	40	40	56
Average of 6 years, 1895-96 to 1902-03, excluding 1896-97 and 1899-1900.	Wholesale ...	30	28	32	35	43	58	...	38	27	34	40	52
	Traders ...	27	21	29	27	36	40	73	37	27	32	39	51
	Note-book ...	29	27	31	35	46	53	70	39	27	34	38	54
Average of 18 years, 1895-96 to 1902-03.	Wholesale ...	32	27	47	35	48	53	51	38	25	33	41	53
	Traders ..	26	25	29	27	33	39	69	35	22	31	37	48
	Note-book ...	31	27	33	33	43	51	67	41	28	35	40	51
Average of 16 years, 1895-96 to 1902-03, excluding 1896-97 and 1899-1900.	Wholessle ...	29	27	44	29	38	53	51	36	24	31	39	51
	Traders ...	26	25	28	25	32	38	69	34	22	30	37	47
	Note-book ...	28	25	30	29	40	49	67	40	26	32	39	49

A. J. W. KITCHIN,
Settlement Officer

STATEMENT No. III.

Statement showing harvest prices in annas per maund of food-grain in the Gujar Khan Tahsil for the period 1885-86 to 1902-03.

Year.	Class of price.	KHARIF.							RABI.				
		Maize.	Jowar.	Bajra.	Moth.	Mung.	Mash.	Cotton.	Wheat.	Barley.	Gram.	Taramira.	Sarshaf.
1885-86	Wholesale	...	...	...	...	...	...	...	...	...	...	...	...
	Traders	16	14	20	14	21	...	...	27	18	26	34	38
	Note-book	15	13	16	14	21	40	77	29	19	20	33	38
1886-87	Wholesale	...	...	...	...	...	...	...	37	...	...	...	...
	Traders	21	18	26	21	28	...	58	37	28	38	49	49
	Note-book	22	18	24	22	26	60	58	46	26	32	40	46
1887-88	Wholesale	...	...	...	...	...	...	...	38	...	...	...	...
	Traders	30	30	37	35	36	...	...	39	32	32	46	49
	Note-book	31	27	33	31	37	43	66	42	28	34	51	53
1888-89	Wholesale	...	...	...	33	35	...	...	31	...	...	...	57
	Traders	30	26	37	35	33	36	...	29	21	27	36	53
	Note-book	26	21	26	26	40	46	80	30	21	26	36	40
1889-90	Wholesale	...	...	...	25	35	...	...	33	...	...	...	...
	Traders	23	18	23	21	33	...	64	34	21	30	49	53
	Note-book	22	21	23	29	38	40	64	32	21	27	43	46
Average of 5 years 1885-86 to 1889-90.	Wholesale	...	...	...	29	35	...	...	35	...	...	...	57
	Traders	24	21	29	25	30	36	61	33	24	31	43	48
	Note-book	23	20	24	24	32	46	69	36	23	28	41	45
1890-91	Wholesale	...	...	...	25	36	...	...	41	...	...	...	...
	Traders	19	22	23	21	36	...	...	35	25	30	49	50
	Note-book	19	19	24	25	37	46	71	39	26	32	46	53
1891-92	Wholesale	...	...	...	...	40	...	...	45	...	...	...	...
	Traders	32	31	32	35	36	...	...	38	27	36	49	53
	Note-book	36	29	36	35	38	49	...	45	29	32	44	49
1892-93	Wholesale	...	...	42	...	35	...	...	39	...	...	...	55
	Traders	34	30	37	35	35	...	...	34	24	23	36	43
	Note-book	36	31	37	35	42	46	91	46	29	32	40	48
1893-94	Wholesale	...	...	...	...	22	...	...	24	16	...	...	...
	Traders	26	23	30	21	21	...	...	23	11	18	32	36
	Note-book	33	26	34	31	31	46	72	23	15	19	28	35
1894-95	Wholesale	...	...	...	...	25	...	...	28	...	...	...	...
	Traders	18	15	17	17	21	...	53	26	13	21	32	43
	Note-book	16	14	18	18	19	36	60	22	14	20	34	41
Average of 5 years, 1890-91 to 1894-95.	Wholesale	...	...	42	25	32	...	...	35	16	...	...	55
	Traders	26	24	28	26	30	...	53	31	20	26	40	45
	Note-book	28	24	30	29	33	45	73	35	23	27	38	45

Statement showing harvest prices in annas per maund of food-grain in the Gujar Khan Tahsil for the period 1885-86 *to* 1902-03—concluded.

Year.	Class of price.	Kharif.							Rabi.				
		Maize.	Jowar.	Bajra.	Moth.	Mung.	Mash.	Cotton.	Wheat.	Barley.	Gram.	Taramira.	Sarshaf.
1895-96 ...	Wholesale ...	...	...	...	31	40	...	...	44	...	...	...	56
	Traders ...	30	21	29	23	35	...	71	42	27	40	49	53
	Note-book ..	34	31	34	38	39	57	80	44	36	37	56	66
1896-97 ...	Wholesale ...	...	...	...	66	84	...	...	55	...	56	...	61
	Traders ...	64	53	53	71	80	...	...	52	35	53	62	58
	Note-book ...	64	53	69	67	85	80	80	57	46	58	...	...
897-98 ...	Wholesale ...	...	...	...	48	62	...	...	38	...	...	...	47
	Traders ...	46	23	52	43	58	...	...	34	21	34	43	46
	Note-book ..	53	35	41	58	53	53	80	36	26	32	40	49
1898-99 ..	Wholesale ...	...	...	...	...	34	...	...	35	...	...	...	45
	Traders ...	29	21	30	29	29	41	...	30	21	28	38	43
	Note-book ...	29	27	30	32	34	43	53	36	27	34	36	49
1899-1900 ...	Wholesale ...	50	...	58	...	60	...	...	50	...	...	...	...
	Traders ...	43	43	43	43	55	...	...	46	32	49	40	...
	Note-book ...	53	53	58	58	64	61	71	57	36	58	58	75
1900-01 ...	Wholesale ...	...	...	...	55	60	...	...	35	...	...	...	52
	Traders ...	35	33	36	40	53	49	71	32	20	32	30	53
	Note-book ...	36	36	38	46	53	49	80	36	27	34	30	51
1901-02 ...	Whole-sale ...	...	...	...	...	37	...	...	39	...	...	...	57
	Traders ...	22	20	26	26	40	43	...	39	27	33	41	53
	Note-book ...	23	21	25	29	40	43	91	40	25	38	46	58
1902-03 ...	Wholesale ...	...	...	...	33	47	...	...	38	...	...	...	...
	Traders ...	25	23	27	21	43	...	...	35	...	...	...	...
	Note-book ...	30	26	32	31	43	48	91	[illegible]	...	...	...	...
Average of 8 years 1895-96 to 1902-03.	Wholesale ...	50	...	58	47	53	...	...	42	...	56	...	53
	Traders ...	37	30	37	37	49	44	71	39	26	38	43	51
	Note-book ...	40	35	41	45	51	54	78	44	32	42	44	58
Average of 6 years 1895-96 to 1902-03, excluding 1896-97 and 1899-1900.	Wholesale ...	...	..	...	42	47	...	...	38	...	...	...	51
	Traders ...	31	23	33	30	43	44	71	35	23	33	40	50
	Note-book ...	34	29	33	39	44	49	79	38	28	35	42	55
Average of 18 years, 1885-86 to 1902-03.	Wholesale ...	50	...	50	39	43	...	...	38	16	56	...	54
	Traders ...	30	26	32	31	38	42	63	35	24	32	42	48
	Note-book ...	32	28	33	35	41	49	74	39	27	33	41	50
Average of 16 years 1885-86 to 1902-03 excluding 1896-97 and 1899-1900.	Wholesale ...	...	...	42	36	39	...	...	36	16	...	...	53
	Traders ...	27	23	30	27	35	42	63	33	22	30	41	48
	Note-book ...	29	25	29	31	37	47	74	36	25	30	40	48

A. J. W. KITCHIN,
Settlement Officer.

STATEMENT No. IV.

Statement showing harvest prices in annas per maund of food-grain in the Fatehjang Tahsil for the period 1885-86 *to* 1902-03.

Year.	Class of price.	Kharif.							Rabi.				
		Maize.	Jowar.	Bajra.	Moth.	Mung.	Mash.	Cotton.	Wheat.	Barley.	Gram.	Taramira.	Sarshaf.
1885-86	Wholesale	...	...	...	...	...	...	...	...	...	...	...	...
	Traders	16	16	18	15	18	...	30	26	17	...	24	36
	Note-book	14	14	16	16	27	...	66	27	15	21	27	36
1886-87	Wholesale	...	...	...	...	...	...	...	...	...	...	...	...
	Traders	25	25	28	26	28	...	80	42	27	...	40	44
	Note-book	22	22	25	23	32	...	53	46	26	31	38	40
1887-88	Wholesale	...	...	...	...	...	...	...	...	...	...	...	...
	Traders	39	40	39	40	46	...	80	39	27	...	36	43
	Note-book	30	31	34	34	45	...	66	47	31	32	40	51
1888-89	Wholesale	...	...	...	...	...	...	...	...	...	...	...	...
	Traders	32	34	36	36	40	...	80	26	16	...	29	...
	Note-book	34	31	36	29	41	...	66	34	23	28	32	40
1889-90	Wholesale	...	...	...	...	...	...	...	...	...	...	...	...
	Traders	18	19	21	23	26	...	64	28	16	...	33	...
	Note-book	17	17	18	24	42	...	55	31	17	25	41	49
Average of 5 years, 1885-86 to 1889-90.	Wholesale	...	...	...	...	...	...	...	...	...	...	...	...
	Traders	26	27	28	28	32	...	77	32	21	...	32	41
	Note-book	23	23	26	25	37	...	61	37	22	27	36	43
1890-91	Wholesale	...	...	...	...	...	...	...	43	...	40	...	51
	Traders	19	21	22	23	23	...	71	39	25	...	37	...
	Note-book	19	20	20	22	35	40	64	45	25	32	46	55
1891-92	Wholesale	...	...	...	...	...	...	...	46	..	...	...	...
	Traders	30	32	31	38	40	...	80	43	28	...	31	40
	Note-book	33	34	35	39	46	46	60	41	25	35	39	43
1892-93	Wholesale	...	...	43	...	...	...	...	39	22	...	...	...
	Traders	39	38	39	40	40	...	80	37	21	29	28	40
	Note-book	37	37	42	41	43	64	69	40	26	32	33	46
1893-94	Wholesale	...	...	...	...	...	...	...	29	...	...	26	...
	Traders	22	18	23	18	18	...	80	20	12	...	19	40
	Note-book	25	25	26	26	33	...	75	21	13	15	21	37
1894-95	Wholesale	...	...	22	...	...	...	...	29	...	...	...	...
	Traders	17	16	19	19	19	...	64	24	17	...	32	50
	Note-book	14	14	17	17	24	40	57	26	19	26	40	49
Average of 5 years, 1890-91 to 1894-95.	Wholesale	...	...	32	...	...	...	...	37	22	40	36	51
	Traders	25	25	27	28	28	...	75	33	21	29	29	42
	Note-book	26	26	28	29	36	47	65	35	22	28	36	46

Statement showing harvest prices in annas per maund of food-grain in the Fatehjang Tahsil for the period 1885-86 *to* 1902-03—concluded.

Year.	Class of price.	Kharif.							Rabi.				
		Maize.	Jowar.	Bajra.	Moth.	Mung.	Mash.	Cotton.	Wheat.	Barley.	Gram.	Taramira.	Sarshaf.
1895-96 ...	Wholesale ...	...	...	...	...	...	...	...	41	...	...	...	56
	Traders ...	27	28	29	29	29	...	80	39	27	...	44	...
	Note-book ...	32	25	26	27	37	51	62	50	33	37	55	69
1896-97 ...	Wholesale ...	...	...	...	...	...	...	...	43	...	...	...	...
	Traders ...	61	49	58	49	58	...	80	51	41	...	47	...
	Note-book ...	64	57	69	66	71	76	60	55	38	56	49	60
1897-98 ...	Wholesale ...	...	...	...	...	...	...	...	...	...	...	38	...
	Traders ...	35	32	47	36	36	...	80	36	20	...	31	38
	Note-book ...	38	33	42	41	62	69	68	36	22	33	35	45
1898-99 ...	Wholesale ...	...	...	29	...	...	...	...	41	...	36	...	...
	Traders ...	24	28	25	26	28	...	80	33	20	...	30	23
	Note-book ...	26	23	28	28	33	41	54	32	21	29	30	39
1899-1900 ...	Wholesale ...	...	...	49	...	...	...	...	50	33	...	53	...
	Traders ...	31	40	46	43	46	...	80	51	39	...	46	...
	Note-book ...	45	44	53	52	62	64	65	53	36	53	52	64
1900-01 ...	Wholesale ...	..	...	37	...	...	...	...	34	19	...	...	...
	Traders ...	31	38	33	36	40	...	80	33	20	...	26	40
	Note-book ...	31	30	35	38	52	64	82	31	29	32	29	49
1901-02 ...	Wholesale ...	...	...	24	...	...	...	...	43	29	...	...	...
	Traders ...	22	23	26	32	36	...	80	37	21	...	35	...
	Note-book ...	24	21	25	30	44	46	96	40	28	39	41	54
1902-03 ...	Wholesale ...	...	...	31	...	...	...	...	38	...	33	...	...
	Traders ...	24	27	29	32	41	53	91	38	27	29	39	...
	Note-book ...	22	20	26	30	40	53	88	...	...	...	...	...
Average of 8 years, 1895-96 to 1902-03	Wholesale ...	...	...	34	...	...	...	...	41	29	34	45	56
	Traders ...	32	33	37	35	39	53	81	40	27	29	37	34
	Note-book ...	35	32	38	39	50	58	71	42	30	40	42	54
Average of 6 years, 1895-96 to 1902-03 excluding 1896-97 and 1899-1900.	Wholesale ...	...	...	30	...	...	..	...	39	24	34	38	56
	Traders ...	27	29	31	32	35	53	82	36	22	29	34	34
	Note-book ...	29	25	30	32	45	54	74	38	26	34	38	51
Average of 18 years, 1885-86 to 1902-03.	Wholesale ...	...	...	34	...	...	...	...	40	27	36	42	54
	Traders ...	28	29	32	31	34	53	78	36	23	29	34	39
	Note-book ...	29	28	32	32	43	54	67	39	25	33	38	49
Average of 16 years, 1885-86 to 1902-03 excluding 1896-97 and 1899-1900.	Wholesale ...	...	...	31	...	...	...	...	38	23	36	37	54
	Traders ...	[illegible]	27	29	29	32	53	78	34	21	29	32	39
	Note-book ...	26	25	28	29	40	51	67	36	24	30	36	47

A. J. W. KITCHIN,
Settlement Officer.

STATEMENT No. V.

Statement showing harvest prices in annas per maund of food-grain in the Pindigheb Tahsil for the period 1885-86 *to* 1902-03.

Year.	Class of price.	Kharif.							Rabi.				
		Maize.	Jowar.	Bajra.	Moth.	Mung.	Mash.	Cotton.	Wheat.	Barley.	Gram.	Taramira.	Sarshaf.
1885-86 ...	Wholesale ...	...	...	...	...	...	...	...	...	...	...	...	...
	Traders ...	...	...	...	...	...	...	64	24	...	17	32	40
	Note-book ...	13	14	15	15	28	...	63	29	17	19	31	40
1886-87 ...	Wholesale ...	...	...	...	...	...	...	58	44	...	49	...	64
	Traders ...	...	...	27	...	...	...	65	44	..	23	...	...
	Note-book ...	26	23	29	27	36	...	59	49	32	34	40	...
1887-88 ...	Wholesale ...	42	...	44	...	46	...	61	34	...	26	...	...
	Traders ...	...	...	...	...	...	...	...	42	...	30	30	...
	Note-book ...	35	33	24	42	44	...	62	49	32	47	42	...
1888-89 ...	Wholesale ...	36	...	...	...	40	...	...	27	...	22	30	38
	Traders ...	32	...	36	43	...	46	...	31	...	26	32	...
	Note-book ...	35	35	41	39	44	...	76	36	22	27	27	35
1889-90 ...	Wholesale ...	...	...	...	27	32	...	69	30	...	24	32	61
	Traders ...	...	...	...	...	...	...	...	28	19	25	26	...
	Note-book ...	19	18	20	24	38	...	72	32	18	23	37	...
Average of 5 years, 1885-86 to 1889-90.	Wholesale ...	39	...	44	27	39	...	63	34	...	30	31	54
	Traders ...	32	...	31	43	...	46	64	34	19	25	30	40
	Note-book ...	26	25	26	29	38	...	66	39	24	30	35	37
1890-91 ...	Wholesale ...	..	...	26	...	38	...	67	45	27	35	46	...
	Traders ...	...	...	26	...	30	...	64	39	...	27	34	...
	Note-book ...	23	20	26	24	36	...	72	49	32	41	61	...
1891-92 ...	Wholesale ...	36	30	32	...	40	...	67	46	32	33	37	51
	Traders ...	...	29	31	...	39	...	...	44	20	33	29	...
	Note-book ...	31	28	35	34	47	...	69	47	24	29	43	48
1892-93 ...	Wholesale ...	...	...	47	...	...	...	75	38	...	24	30	51
	Traders ...	...	...	47	...	...	...	...	42	22	28	27	..
	Note-book ...	34	33	39	38	48	...	67	59	35	33	36	46
1893-94 ...	Wholesale ...	...	...	27	...	26	...	62	20	..	15	25	37
	Traders ...	...	...	...	...	...	...	...	30	23	22	...	...
	Note-book ...	30	22	27	24	28	...	68	19	13	14	23	40
1894-95 ...	Wholesale ...	..	...	17	...	...	...	56	24	...	22	40	50
	Traders ...	...	...	...	...	...	...	...	23	...	19	...	...
	Note-book ...	14	14	17	16	26	...	59	26	17	20	30	39
Average of 5 years, 1890-91 to 1894-95.	Wholesale ...	36	30	30	...	34	...	65	35	29	26	36	47
	Traders ...	...	29	35	...	34	...	64	36	22	26	28	...
	Note-book ...	26	23	29	27	37	...	67	40	24	27	39	43

Statement showing harvest prices in annas per maund of food-grain in the Pindigheb Tahsil for the period 1885-86 *to* 1902-03—concluded.

Year.	Class of price.	Kharif.							Rabi.				
		Maize.	Jowar.	Bajra.	Moth.	Mung.	Mash.	Cotton.	Wheat.	Barely.	Gram.	Taramira.	Sarshaf.
1895-96 ...	Wholesale ...	26	...	31	30	40	...	62	45	...	28	64	64
	Traders ...	...	...	...	...	...	...	...	35	...	26	...	...
	Note-book ...	32	28	34	34	42	...	60	50	35	37	55	61
1896-97 ...	Wholesale ...	62	...	68	...	...	...	64	59	...	55	44	...
	Traders ..	62	...	71	...	...	...	...	52	..	42	...	...
	Note-book ...	61	59	67	67	75	...	62	60	43	54	51	58
1897-98 ...	Wholesale ...	41	...	41	37	55	...	55	39	28	31	43	57
	Traders ...	...	...	...	...	...	...	...	46	...	42	...	..
	Note-book ...	42	43	48	47	58	...	75	36	23	30	39	55
1898-99 ...	Wholesale ...	25	...	30	33	40	...	57	37	...	29	40	...
	Traders ...	...	...	32	...	...	...	...	36	...	30	...	...
	Note-book ...	23	26	31	30	40	...	57	38	23	28	35	40
1899-1900 ...	Wholesale ...	46	...	51	57	63	...	62	53	...	53	50	...
	Traders ...	...	...	57	...	...	...	...	50	...	30	34	...
	Note-book ...	47	47	54	52	59	...	69	61	44	56	50	71
1900-01 ...	Wholesale ...	36	...	48	...	...	...	71	40	...	44	29	...
	Traders ...	...	...	36	...	...	...	...	41	...	39	32	...
	Note-book ...	32	29	37	40	51	80	80	34	24	29	30	44
1901-02 ...	Wholesale ...	...	...	25	31	42	...	64	40	...	35	41	58
	Traders ...	...	...	24	...	...	...	...	42	34	32	38	...
	Note-book ...	20	19	24	31	41	...	80	43	28	36	42	58
1902-03 ...	Wholesale ...	37	...	26	28	40	...	59	38	26	27	40	57
	Traders ...	...	...	27	..	...	...	...	39	...	34	37	...
	Note-book ...	26	29	33	30	43	..	64	38	26	32	39	50
Average of 8 years, 1895-96 to 1902-03.	Wholesale ...	39	...	40	36	47	...	62	44	27	38	44	58
	Traders ...	62	...	41	...	...	...	...	43	34	34	35	...
	Note-book ...	36	35	41	41	51	80	68	45	31	38	43	55
Average of 6 years, 1895-96 to 1902-03 excluding 1896-97 and 1899-1900.	Wholesale ...	33	...	33	32	43	...	61	40	27	32	43	58
	Traders ..	...	...	30	...	...	...	...	40	34	34	36	...
	Note-book ...	30	29	34	35	46	80	69	40	26	32	40	51
Average of 18 years, 1885-86 to 1902-03.	Wholesale ...	39	30	37	35	42	...	63	39	28	32	39	53
	Traders ...	47	29	38	43	34	46	64	38	24	29	31	40
	Note-book ...	30	29	33	34	44	80	67	42	27	33	39	49
Average of 16 years, 1885-86 to 1902-03 excluding 1896-97 and 1899-1900.	Wholesale ...	35	30	33	31	40	...	63	36	28	30	38	53
	Traders ...	32	29	32	43	34	46	64	37	24	29	31	40
	Note-book ...	27	26	30	31	41	80	68	40	25	30	38	46

A. J. W. KITCHIN,

Settlement Officer.

STATEMENT No. VI.

Statement showing harvest prices in annas per maund of food-grain in the Kahuta and Murree Tahsils for the period 1885-86 to 1902-03.

Year.	Class of price.	Kharif. Maize.	Jowar.	Bajra.	Moth.	Mung.	Mash.	Cotton.	Rabi. Wheat.	Barley.	Gram.	Taramira.	Sarshaf.
1885-86 ...	Wholesale ...	...	...	...	...	...	...	...	...	...	...	...	...
	Traders ...	18	...	23	...	...	...	...	...	...	...	...	...
	Note-book ...	14	14	15	15	27	31	80	32	22	27	29	40
1886-87 ...	Wholesale ...	...	...	...	...	...	...	...	...	...	..	...	...
	Traders ...	20	...	21	23	36	43	...	41	...	...	...	...
	Note-book ...	21	21	19	19	33	43	64	49	29	30	40	39
1887-88 ...	Wholesale ...	...	...	...	...	...	...	...	...	...	..	...	..
	Traders ...	...	...	28	...	...	...	...	38	...	...	...	...
	Note-book ...	36	36	35	37	37	46	63	50	31	32	55	46
1888-89 ...	Wholesale ...	...	...	...	...	...	...	...	...	...	...	...	...
	Traders ...	...	...	28	...	...	...	...	33	...	...	...	...
	Note-book ...	41	32	34	34	40	46	75	41	29	32	42	51
1889-90 ...	Wholesale ...	...	...	...	...	...	...	...	...	...	...	...	...
	Traders ...	...	15	22	17	23	36	...	28	...	...	...	...
	Note-book ...	22	24	21	22	31	39	70	37	26	30	40	...
Average of 5 years, 1885-86 to 1889-90.	Wholesale ...	...	...	...	...	...	...	...	...	...	...	...	...
	Traders ...	19	15	24	20	30	40	...	35	...	...	...	...
	Note-book ...	27	25	25	25	34	41	70	42	27	30	41	44
1890-91 ...	Wholesale ...	...	...	...	...	...	...	...	...	...	...	..	...
	Traders ...	23	...	21	...	...	...	...	40	...	...	...	...
	Note-book ...	26	27	27	23	30	44	67	49	28	34	49	48
1891-92 ...	Wholesale ...	...	...	...	...	...	...	...	...	...	...	...	...
	Traders ...	34	...	32	...	...	...	...	43	...	...	...	...
	Note-book ...	38	38	37	36	40	58	82	53	34	34	40	53
1892-93 ...	Wholesale ...	...	...	...	...	...	...	...	...	...	...	...	...
	Traders ...	40	...	39	...	...	40	...	43	33	43	...	...
	Note-book ...	47	40	49	38	45	54	98	62	37	39	47	52
1893-94 ...	Wholesale ...	...	...	...	...	...	...	...	...	...	...	...	...
	Traders ...	...	...	28	21	17	29	...	24	..	21	...	47
	Note-book ...	37	30	38	34	34	49	80	33	22	21	30	42
1894-95 ...	Wholesale ...	...	...	...	...	...	...	...	...	...	...	...	...
	Traders ...	18	...	24	...	21	...	64	36	...	49	...	...
	Note-book ...	24	20	23	21	33	42	68	32	...	32	...	46
Average of 5 years, 1890-91 to 1894-95.	Wholesale ...	...	...	...	...	...	...	...	...	...	...	...	...
	Traders ...	29	...	29	21	19	84	64	37	33	38	...	47
	Note-book ...	34	81	35	30	36	49	79	46	30	32	43	48

Statement showing harvest prices in annas per maund of food-grain in the Kahuta and Murree Tahsils for the period 1885-86 *to* 1902-03—concluded.

Year.	Class of price.	Kharif.							Rabi.				
		Maize.	Jowar.	Bajra.	Moth.	Mung.	Mash.	Cotton.	Wheat.	Barley.	Gram.	Taramira.	Sarshaf.
1895-96 ...	Wholesale ...	...	...	...	...	...	...	...	...	...	...	...	...
	Traders ...	28	...	31	...	...	43	80	43	28	...	...	53
	Note-book ...	29	30	30	28	44	53	80	48	39	39	58	56
1896-97 ...	Wholesale ...	...	...	...	...	...	...	...	...	...	...	...	...
	Traders ...	58	...	54	...	...	80	...	47	35	43	53	57
	Note-book ...	59	54	63	80	85	78	80	57	41	53	58	64
1897-98 ...	Wholesale ...	...	...	...	...	...	..	...	...	...	...	...	...
	Traders ...	38	38	41	43	57	53	...	38	28	34	...	53
	Note-book ...	40	43	44	45	69	64	73	45	30	37	47	52
1898-99 ...	Wholesale ...	...	...	...	...	...	...	...	...	...	...	...	...
	Traders ...	26	24	29	28	34	41	...	37	27	36	43	49
	Note-book ...	29	27	32	29	35	45	66	39	28	32	47	45
1899-1900 ...	Wholesale ...	...	...	...	...	...	...	...	...	...	...	...	...
	Traders ...	43	...	52	43	57	...	...	50	27	43	...	53
	Note-book ...	47	48	54	50	63	57	80	50	42	48	51	60
1900-01 ...	Wholesale ...	...	...	...	...	...	...	...	...	...	...	...	...
	Traders ...	33	36	33	43	57	53	...	32	18	33	36	54
	Note-book ...	36	33	39	40	56	50	85	45	34	48	69	55
1901-02 ...	Wholesale ...	...	...	...	...	...	...	...	...	...	...	...	...
	Traders ...	23	18	25	22	34	37	...	35	21	36	43	53
	Note-book ...	25	26	32	30	41	42	88	44	30	43	49	56
1902-03 ...	Wholesale ...	...	...	...	...	...	...	...	...	...	...	..	...
	Traders ...	23	...	...	...	...	...	...	40	21	35	49	...
	Note-book ...	26	25	28	33	48	49	67	44	29	38	47	55
Average of 8 years, 1895-96 to 1902-1903.	Wholesale ...	...	...	...	...	...	...	...	...	...	...	...	...
	Traders ...	34	22	38	36	48	51	30	40	26	37	45	53
	Note-book ...	36	36	40	42	55	55	77	46	34	42	53	55
Average of 6 years, 1895-96 to 1902-03, excluding 1896-97 and 1899-1900.	Wholesale ...	...	...	...	...	...	...	...	...	...	...	...	...
	Traders ...	28	29	32	34	46	45	80	38	24	35	43	52
	Note-book ...	31	31	34	34	49	50	76	44	32	39	53	53
Average of 18 years, 1885-86 to 1902-03.	Wholesale ...	...	...	...	...	...	...	..	...	...	...	...	...
	Traders ...	30	26	31	30	37	45	72	38	26	37	45	52
	Note-book ...	33	32	34	34	44	49	76	45	31	36	47	51
Average of 16 years, 1885-86 to 1902-03, excluding 1896-97 and 1899-1900.	Wholesale ...	...	...	...	...	...	...	...	...	...	...	...	...
	Traders ...	27	26	28	28	35	42	72	37	25	36	43	51
	Note-book ...	31	29	31	30	40	47	75	44	30	34	46	49

A. J. W. KITCHIN,

Settlement Officer.

No. 106, dated 7th January 1904.

From—The Senior Secretary to the Financial Commissioner, Punjab,

To—The Settlement Commissioner, Punjab.

WITH reference to your letter No. 4498 of the 19th December 1903, forwarding the preliminary report of the Rawalpindi settlement, I am directed to say that the Financial Commissioner agrees to the assessment circles used at the last settlement being maintained.

2. Sir Louis Dane accepts the proposed soil classification subject to the amendment proposed by you, namely, that land irrigated from springs should be classed as *abi*.

3. You accept Mr. Kitchin's estimated prices except in the case of sarshaf, moth and mung where the Settlement Officer proposed 38, 24 and 32 annas per maund respectively and you propose 40, 22 and 30. The Financial Commissioner accepts these modifications for the reasons given by you and sanctions the scale of prices as thus modified.

II.—Demarcation of Estates in the Murree Civil Station.

No. 5, dated Lahore, 4th January 1905.

From—L. H. LESLIE JONES, Esquire, Senior Secretary to the Financial Commissioner, Punjab,

To—The Offg. Chief Secretary to Government, Punjab.

WITH reference to your letter No. 79 A., dated 13th April 1904, I am directed to forward a letter No. 4644, dated 15th December 1904, with the enclosure thereto, from the Settlement Commissioner, Punjab, and to say that it was discovered during the process of demarcation that a survey of Murree had been made by the Survey Department in about the year 1876, and that of the eight large sheets then prepared, on a scale of 132 feet to one inch, seven were still in the possession of the Municipal Committee, and it has been found possible to prepare the missing sheet afresh.

2. The Financial Commissioner regrets that the existence of the survey maps was not made known at an earlier date, in which case all reference to the Survey Department might have been avoided; and it is not now necessary to solicit their assistance, as the Municipality has been supplied with full records prepared under the supervision of the Settlement Officer.

3. The total cost of the operations is Rs. 2,523-13-2, and the Financial Commissioner supports the recommendation that the whole cost should be debited to the Murree Municipality, if it is in a position to meet it.

In any case the Financial Commissioner thinks that the temporary and contingent expenditure amounting to Rs. 475-3-9 should be borne by the Municipality and the debt of Rs. 159-14-0 due to the Patwar Fund repaid by direct credit.

4. The Financial Commissioner concurs in the Settlement Commissioner's appreciation of the good work done by Mr. Boughey, Assistant Commissioner, and by M. Thakar Das, Naib Tahsildar; and I am to suggest that some printed copies of Mr. Kitchin's report and of the orders of Government thereon should be supplied to the Commissioner, Rawalpindi Division, for use by the Municipal Committee.

No. 4644, dated Lahore, 15th December 1904.

From—The Hon'ble Mr. J. M. DOUIE, Settlement Commissioner, Punjab,

To—The Senior Secretary to the Financial Commissioner, Punjab.

WITH reference to the correspondence regarding the survey of the Civil Station of Murree, ending with my No. 3934, dated 2nd November 1904, I have the honour to submit, in original, a letter No. 1559, dated 28th November 1904, from Mr. Kitchin, which contains his report on the subject.

2. When I wrote my No. 238, dated 19th January 1904, proposing that the survey should be undertaken, it was not known that the maps referred in the 5th paragraph of Mr. Kitchin's report existed. Hence I suggested that, after the demarcation had been completed, a map of the station should, as in the case of Simla, be made by the Survey Department. It was not till the end of May that the fact that a map already existed was reported. I endeavoured without success to get from the Surveyor-General's Office a copy of the missing sheet, No. 3, and asked the Settlement Officer whether the survey work might not be confined to a correction of the existing map. As a matter of fact, as Mr. Kitchin's report shows, it has been possible to dispense altogether with the help of the Survey Department.

3. It is possible that the work, which has now been finished, would not have been undertaken if the Municipal Committee had been aware of the records it already possessed. But the total cost has only been Rs. 2,523-13-2, and we need not regret that the records have been brought up to date, and disputes settled. There is no possible reason for not recovering the expenditure from the Murree Municipality, if it is in a position to meet it.

4. I heartily endorse the commendation bestowed by Mr. Kitchin on the good work done by Mr. Boughey and by the Naib Tahsildar in charge, Thakar Das. I saw lately in Rawalpindi some of the maps prepared by the latter, and was much pleased with them.

5. I think the report should be printed.

No. 1559, dated 28th November 1904.

From—A. J. W. KITCHIN, Esquire, C.S., Settlement Officer, Rawalpindi,

To—The Settlement Commissioner, Punjab.

1. *Preliminary.*—I have the honour to submit my final report on demarcation of estates within the Civil Station of Murree. The orders of Government sanctioning a special demarcation were passed in Revenue Secretary to Government's letter No. 52, dated 25th March 1904, to the Senior Secretary to the Financial Commissioner, and were communicated to me with the Settlement Commissioner's endorsement No. 1450, dated 22nd April 1904.

Mr. G. M. Boughey, Assistant Commissioner, was placed in special charge of the work, and the establishment sanctioned for six months was as follows:—

One Naib Tahsildar on the pay of his grade, plus hill allowance of Rs. 10 per mensem.

One Muharrir on Rs. 30 per mensem.

One Chaprasi on Rs. 9 per mensem.

All contingent and miscellaneous charges were to be met from Settlement Funds, the question of the recovery of the cost from Municipal Funds being left for subsequent consideration. The whole work was under the general control of the Settlement Officer. No separate Gazette Notification was deemed necessary, as the whole of the Rawalpindi District was declared under settlement in *Punjab Gazette* Notification No. 24, dated 29th September 1902.

2. *Mode of demarcation.*—Mr. Boughey took over charge at Murree on 4th May and began work at once. The Naib Tahsildar and the Muharrir were specially selected by me as men who, while having a competent knowledge of field work, were also able to speak and write English well and were accustomed to mix with Englishmen. These qualifications were essential, as the whole work was in English. As I myself proceeded on leave in the middle of May and did not return till the end of August, I was not able to personally supervise the work in the early stages. I was able, however, to give general directions as to how the work was to be started.

As none of the officials connected with the work had any previous experience of this kind of work, and as such work is rarely done, it may be of interest to describe in some detail how the work was started. Mr. Boughey's first step was to hunt out all existing records from the Municipal Office and to determine what records existed and what records were required. Meanwhile letters were sent round to all house owners and agents stating that the work of demarcation was about to begin and inviting their attendance at a public meeting for the purpose of discussing how the work was to be carried out, what disputes were known to exist, and how pillars were to be erected. The meeting was well attended, and all the details of the work were settled then and there. It was determined what number of estates might be considered undisputed, what number should be considered doubtful, and what number disputed. [illegible] would put up their own pillars and decide their own

boundaries. All estates bordering on Government land were considered disputed. The undisputed estates were demarcated by the owners and mapped by the Muharrir. The disputed estates were mapped by the Naib Tahsildar generally in the presence of the Assistant Commissioner. The estates of the few owners and agents who were not represented at the meeting were necessarily considered disputed. When the boundaries had been laid down pillars were erected at every salient point. The pillars were erected sometimes by the owners and sometimes by an official contractor, as might be mutually decided in each case. A contract for stone pillars at Rs. 2 each was given to a local contractor, and he sunk the pillars where required to do so. When the demarcation was completed Mr. Boughey proceeded to draw up a note on each estate, which in every case he did with his own hand; to this was attached a sketch map of the boundaries drawn to scale of 132 feet = 1 inch. The owners or agents of the estates were asked to sign the maps and the Assistant Commissioner's note, and in nearly all cases their signatures have been secured. Where disputes arose they were settled by mutual agreement.

3. *Number of estates.*—The number of estates according to the present demarcation is 188. The whole of the bazar, including the shops on the Mall, have been excluded. In many cases estates previously joint have now been sub-divided, according to the wishes of the owners. It will give some idea of the tact displayed in the work that of the 188 estates demarcated, 183 were demarcated with the consent of the parties concerned. Disputes which arose were all settled amicably, and the parties signed the papers in token of agreement. From first to last there has been no complaint of any kind against any one connected with the work, and from first to last all the owners and agents cordially co-operated in the work. As stated above, five estates were left by Mr. Boughey as disputed. These were all settled by me. Two were decided by the agreement of parties and three were decided by order, as there was no possibility of compromise.

4. *Completion of demarcation work.*—Mr. Boughey was transferred to Delhi in the beginning of August and left leaving the work incomplete. However, Mr. Boughey before he left had prepared files about all the estates and settled the boundaries of all, except the five estates mentioned above. The demarcation work was considered to have been carried as far as it could be done in anticipation of the arrival of a survey party to map the demarcated estates. From the time of Mr. Boughey's departure until the end of the first week in September, when I arrived in Murree, work was at a standstill. The Muharrir went back to employment as a Kanungo and the Naib Tahsildar was employed in connection with the ordinary settlement operations in the Murree Tahsil. On my return I went through all the papers left by Mr. Boughey, settled the disputed cases, and had the whole work wound up by the Naib Tahsildar under my own supervision.

5. *Previous records*—As stated in paragraph 2 above, all the previous records in the possession of the Municipal Committee were hunted out before any other work began. The demarcation staff took charge of all these records. The records consisted of a register and index of estates prepared by the Assistant Commissioner in 1862. The register showed the area and ownership of the estates then existing. Fitful attempts were made at subsequent periods to keep the register up to date, but it was quite incomplete as to present estates and ownership. In addition the Municipal Committee had maps of all the estates existing in 1876, when maps of all the estates were prepared. It appears that the Civil Station was surveyed by the Survey Department. The maps were perpared in about 1876. The survey was apparently made under the supervision of Colonel Macdonald, Deputy Superintendent, Revenue Survey, and the maps prepared by Lieutenant D. Macdonald. The maps consisted of eight large sheets on scale of 132 feet to 1 inch, showing the boundaries of every estate to scale. In addition there was a separate map of each estate, as then existing, which was a copy of the entry on the big sheet. Of these eight sheets, sheet No. 3 was missing, having been lost by the Municipal Committee, and as no duplicate existed, it could not be replaced. This sheet was the most important of all, and contained a large number of estates. Separate maps of the separate estates, however, existed. The maps are drawn to scale and areas are noted, but no outside measurements are marked. In checking it was found that there were often errors in the mapping, and that the sites of buildings on the map are not to scale at all. Further, there were sometimes small differences in the estate maps and the large sheets. Still the maps were good enough, and they form the foundation of all work done in the present demarcation. There can be no doubt that if the existence of these maps had been known, the special demarcation would not have been sanctioned at all. If the Municipal Committee had studied the records which were in their own possession they would have found them amply sufficient for the decision of all ordinary disputes which might arise. Where plots had been sold by the Municipal Committee after 1876, files and plans were prepared. I understand that there was only one estate in the whole of the Civil Station of which no map was found, and that estate was already demarcated with pillars. On the other hand, the records were out of date; old estates had been split up, new estates formed out of Government land, and boundaries in some cases altered. In very few cases were the boundaries marked on the gound and disputes did arise, which have now all been settled. The character of the work to be done and its difficulty was, however, greatly exaggerated owing to the idea that no survey had ever taken place. A survey had taken place and satisfactory maps existed, except the one sheet, the most important of all, which the Municipal Committee had lost.

6. *Mapping.*—When I returned from leave at the end of August, the question of the deputation of a survey party was still pending, and the Settlement Commissioner was asking whether a survey was really necessary. On going through the records in the second week of September I reported that no survey was necessary, and proceeded to start the mapping work. All the pillars which had not been put down were fixed into their places. A few estates which were entirely surrounded with Government waste presented difficulties of demarcation without survey instruments, but the Naib Tahsildar was able to do them. All that was then left was to reconstruct the missing sheet No. 3 from the plans of the separate estates which had either previously existed or had been prepared in the demarcation. This was a task of some difficulty, but after one or two failures it was done with the help of the small scale survey map of the Municipality which showed roads and fixed points, but not estates. The seven existing sheets were then carefully corrected in red ink, partitions and new estates shown, and new names written in. Copies of the whole were then made on tracing paper. The reconstructed sheet No. 3 was copied on drawing paper, similar to the previously existing sheets. We were thus provided with all the original sheets corrected and brought up to date and copies of the whole on tracing paper. One of the sheets was, however, not copied on tracing paper as it showed only one estate, the Lawrence Asylum, and of this other plans existed, and one has been filed in the volume of sketch plans. The wax cloth tracings have been deposited in the Sadr Kanungo's Office of the Rawalpindi District. To help in the mapping the Settlement Mapper was appointed to the post of Demarcation Muharrir, which had been vacant since August. The real mapping was done by the Naib Tahsildar who had no previous experience whatever, but found this no impediment, while the maps were faired by the Mapper. The missing sheet was prepared under my immediate supervision and was carefully checked by me. The Settlement Commissioner has seen the maps prepared and has had an opportunity of judging the character of the work turned out.

7. *New records.*—The records of the present demarcation consist of the following registers and plans which have been made over to the Municipal Committee:—

(1) A new register of estates with index. This is very brief, showing only the number and name of the estate, the number of the owner and the area. This is the revised register of estates.

(2) Mr. Boughey's English notes on each estate, including also my own notes have been bound up in two volumes with the original sketch plans (as estate files, Volumes I and II). These notes and plans have in nearly all cases been signed by the owners and agents in token of acceptance.

(3) Sketch plans of every estate prepared by the Mapper on tracing paper on the standard scale of 132 feet = 1 inch. Outside measurements have been entered in feet. This has been bound up in one volume.

(4) Eight large sheets showing on the same scale of 132 feet = 1 inch all the estates in the municipal area. Sheet No. 3 has been prepared afresh, and the other sheets have been corrected. The outside measurements have been entered on sheet No. 3, but the survey maps were left unaltered. In addition to the above the old register of estates and estate plans have been returned. Copies on tracing paper of seven of the large sheets have been deposited in the Sadr Kanungo's office with the settlement records of village Koh Murree.

8. *Erection and cost of pillars.*—As stated above in paragraph 2, a contract for pillars was given to a local contractor. The pillars were of Murree limestone and of prescribed size and shape. Owners were allowed to put up their own pillars or to indent for the official pillars. When official pillars were used, owners were allowed, when they wished, to adopt their own methods of sinking them.

The arrangement was that adjoining owners, including Government, would pay half the cost of all pillars erected. When owners put up their own pillars adjoining Government waste, they sent in bills for the half share due from Government. Several owners, however, declined to send in bills and offered to pay the whole cost of pillars. All pillars were of course erected under supervision and checked. The contractor's bill for pillars amounted to Rs. 414, which was paid from the Patwar Fund. In addition the sum of Rs. 58-14-0 was paid out of the Patwar Fund to private owners for half cost of pillars erected by them. The total expenditure from the Patwar Fund was Rs. 472-14-0, of which the Government share amounts to Rs. 159-14-0. Of the amount due from private owners, all, except Rs. 54, has been collected and credited to the Patwar Fund. The Deputy Commissioner has been asked to assist in the collection of the balance, and the money on realisation will be credited to the Patwar Fund.

9. *Cost of operations.*—I attach an abstract statement showing the total cost of the operations. Mr. Boughey left on 7th August, and the Muharrir and peon came under reduction from the same date. The Muharrir was not employed again till the mapping work began in September. The operations closed on 4th November at the termination

of the sanctioned period of six months. The total cost was Rs. 2,523-13-2, of which Rs. 2,048-9-5 was the pay of the sanctioned establishment and Rs. 475-3-9 was the cost to Settlement and Patwar Funds. The charge for temporary establishment was on account of chainmen. The charge for miscellaneous expenditure includes the cost of stationery and mapping paper, the carriage of records and book-binding. It also includes the sum of Rs. 100 charged as share of office rent in Murree, as an especially large office was hired this year at a rental of Rs. 300 to admit of the accommodation of the demarcation staff and records.

10. *Share of cost debitable to Municipal Committee.*—The question of the share of the cost which the Municipal Committee was to pay was definitely left for the future decision of Government. In considering the question it will be remembered that the whole of the Government waste demarcated is in the possession of the Municipality and that they take all the profits; further, the survey would hardly have been sanctioned at all if the nature of the existing records had been disclosed, and the necessity for the demarcation is directly attributable to the loss by the Municipality of sheet No. 3. Clearly the Committee can only avoid on the ground of poverty the equitable claim that they should pay the whole cost. If the cost of the permanent establishment sanctioned for six months be held, as it may be held, to be a proper charge against Provincial Funds, yet the Committee might well be asked to pay the whole of the miscellaneous expenditure which has been met from the temporary and contingency budget of this settlement and from the Patwar Fund of the Rawalpindi District. It will appear from the statement of cost annexed that Rs. 475-3-9 has been expended from the Settlement Budget, including a debt of Rs. 159-14-0 due to the Patwar Fund. I would point out that the debt to the Patwar Fund should be repaid by direct credit to the Patwar Fund of the Rawalpindi District.

11. *Notice of officers.*—All the demarcation work and indeed all the difficult work was done by Mr. Boughey before he left. The tact and care which he displayed smoothed all difficulties and secured to him the cordial co-operation of all the owners and agents. The work turned out is not only creditable to him, but a credit to this settlement. Munshi Thakar Das, Naib Tahsildar, fulfilled every expectation which I had formed when I specially selected him for the work. Mr. Boughey speaks in high terms of him, and so indeed does every one who has seen his work and knows his character. A word of acknowledgment is due to Mr. Powell, Vice-President of the Murree Municipality and Honorary Magistrate in Murree. The assistance and advice which he gave was of value in every stage of the work.

12. *Final.*—The work is now entirely complete, and all the records have been made over to the Municipality. Orders only are needed as to the share of cost to be debited to the Municipality, including the debt to the Patwar Fund. I would suggest that, should it be thought fit, the papers in connection with the demarcation work might be printed for future reference.

Total cost of operations.

No.	On account of	Amount.
1	Pay of permanent establishment—	Rs. A. P.
	(1) Assistant Commissioner's salary from 4th May 1904 to 7th August 1904	1,507 11 0
	(2) Pay of Naib-Tahsildar from 4th May 1904 to 4th November 1904 ...	362 3 0
	(3) Pay of Muharrir ditto ditto ...	152 14 0
	(4) Pay of peon from 4th May 1904 to 7th August 1904	25 13 5
	Total of permanent establishment ..	2,048 9 5
2	Pay of temporary establishment	88 5 3
3	Miscellaneous expenses	215 3 6
4	Pillar expenses	159 14 0
5	Service postage	11 13 0
	Total temporary and contingent expenditure ...	475 3 9
	Total Expenditure ...	2,523 13 2

No 67 A., dated Lahore, 1st March 1905.

From—A. H. Diack, Esquire, Chief Secretary to Government, Punjab,

To—The Senior Secretary to the Financial Commissioner, Punjab.

In acknowledging the receipt of your letter No. 5, dated the 4th January 1905, regarding the demarcation of estates in the Murree Civil Station, I am directed to say that the Lieutenant-Governor has noticed with satisfaction the good work done by Mr. Boughey, Assistant Commissioner, and M. Thakar Das, Naib Tahsildar, in the course of the operations undertaken.

2. In view of the state of the finances of the Murree Municipality the Lieutenant-Governor thinks that it will be sufficient to charge the Municipal Committee only with the temporary and contingent expenditure involved amounting to Rs. 475-3-9, the remainder of the expense, *viz.*, Rs. 2,048-9-5 being borne by Government. The Accountant-General will be instructed accordingly.

3. Printed copies of Mr. Kitchin's report and of the orders of Government will be supplied to the Commissioner of Rawalpindi as suggested.

III.—Zaildar arrangements.

(*a*) *Rawalpindi District.*

No. 793, dated Lahore, 2nd November 1905.

From—L. H. Leslie-Jones, Esquire, Senior Secretary to the Financial Commissioner, Punjab,

To—The Chief Secretary to Government, Punjab.

Commissioner, Rawalpindi's No. 2480, dated 28th August 1905 (with enclosures).
Settlement Commissioner's No. 3791, dated 12th October 1905.

I am directed to forward the correspondence marginally noted, on the subject of the introduction of the zaildari system in the four tahsils of the present Rawalpindi District, and to convey the following remarks.

2. It is, Mr. Gordon Walker thinks, sufficiently clear that there is no strong objection to the introduction of the zaildari system while the reasons justifying this course are sufficient. The existing arrangements are very unsatisfactory, and Mr. Gordon Walker has no doubt that we ought to bring the district at once into line with the greater part of the rest of the Punjab in this respect.

3. Mr. Kitchin's proposals appear to the Financial Commissioner to have been very well considered. They differ in certain particulars from the scheme sanctioned in the case of the Attock Tahsil of the present Attock District,—*vide* Mr. Connolly's letter No. 35, dated 7th March 1904,—but the differences are accounted for by dissimilarity of circumstances, and the Financial Commissioner does not think that we are in any way bound to follow the Attock precedent in all particulars.

4. Special arrangements are proposed for the Murree Tahsil owing to its geographical and tribal peculiarities, and they have the Financial Commissioner's concurrence. His sanction to the limits of the charges of inamdars is not required by the land Revenue rules, but there is no reason why the Deputy Commissioner should not make such arrangements as may seem desirable from time to time with regard to the formation or alteration of the circles of inamdars in the two Dhund Zails. It is clear from Mr. Douie's letter that Mr. Kitchin does not want power to alter the limits of zails.

5. The proposal to make inams tenable only in the zails to which they are originally attached is also supported by the Financial Commissioner.

6. The adoption of Mr. Kitchin's proposals will involve an excess of 16 per cent. over the usual percentage on the land revenue allowed for zaildars and inamdars, but the Financial Commissioner quite agrees with the local officers that this extra expenditure need not stand in the way of acceptance of the proposals now put forward.

The arrangements now to be made would be liable to revision at the next settlement, and it may then, as suggested by Mr. Kitchin, be possible to make some reductions, which motives of caution at present render undesirable.

7. The proposals made in paragraph 12 of Mr. Kitchin's note appear to the Financial Commissioner to be quite reasonable. The Commissioner has ascertained that the expenditure involved will not even from the first exceed Rs. 500 per annum, and it will of course decrease as time goes on. The same recommendation was made and accepted in the case of the Attock Tahsil, and the Financial Commissioner thinks that precedent should be followed now. He sees no objection to the retention for life of their titles by Mr. Wilson's Honorary Inamdars.

8. In this connection I am to remark that Mr. Kitchin uses the word "inamkhors" in his note to the holders of the new inams. The Financial Commissioner, however, thinks that it would be better to abolish this term altogether and to call them inamdars as elsewhere.

9. With regard to the remarks made by Mr. Meredith in paragraph 7 of his letter, I am to say that orders have already been passed on his reference, therein referred to, relating to the Attock Tahsil, and that the Commissioner has been instructed that appeals as to individual appointments must be decided by the Commissioner. The same instructions will apply to the Rawalpindi District when appointments are actually made.

10. With these remarks I am to recommend that the sanction of Government under Land Revenue Rule No. 165 be accorded to the establishment of the office of zaildar in the Rawalpindi District.

No. 3791, dated Lahore, 12th October 1905.

From—The Hon'ble Mr. J. M. Douie, Settlement Commissioner, Punjab,

To—The Senior Secretary to the Financial Commissioner, Punjab.

I have the honour to return the enclosures of your No. 5738, dated 26th September 1905, on the subject of the introduction of the zaildari agency into Rawalpindi.

2. It is desirable that the district as now constituted should be brought into line with the great majority of other Punjab districts in this matter, and I think the present proposals should receive the approval of Government.

3. I felt some doubt as to the propriety of the plan under which there will be no grading of inamdars in Rawalpindi, Gujar Khan and Kahuta. After discussing the matter with Mr. Kitchin, I am of opinion that his view may be accepted. He thinks that, so far as inamdars are concerned, the constant bickering and intrigue which the graded system would involve, would outweigh its advantages. Probably it would be difficult for a Deputy Commissioner, considering how frequent changes are, to know his inamdars well, and so to be able to use grading effectively as a reward for good work. We must assume that he will know his zaildars, and they should certainly be graded.

4. The arrangement proposed for the two Dhund Zails in Murree is peculiar, but is justified by the democratic and quarrelsome character of the people, and the absence of natural leaders. The limits of the zails will be fixed with the sanction of the Financial Commissioner under Land Revenue Rule 165 (*ii*), and will only be altered with the same sanction. But the Deputy Commissioner will have power to give the five inamdars belonging to these two zails definite circles inside the zails, and to make them, if he thinks fit, do the work of zaildar in these circles independently of the person who is zaildar of the whole zail. The limits of the inamdars' circles may be settled from time to time by the Deputy Commissioner of his own authority. These arrangements will only be applicable to the two Dhund Zails, and not, as Mr. Meredith supposes, to all the five Murree Zails.

No. 2480, dated Rawalpindi, 28th August 1905.

From—A. Meredith, Esquire, Commissioner, Rawalpindi Division,

To—The Senior Secretary to the Financial Commissioner, Punjab.

I have the honour to forward copy of a letter No. 477, dated 4th August 1905, from the Deputy Commissioner, Rawalpindi, enclosing copy of a letter No. 1148, dated 1st August 1905, and report from the Settlement Officer, on the subject of the introduc-

tion of the Zaildari Agency into the Rawalpindi District. The system of inams that was sanctioned at last settlement is described in paragraph 137 of the Final Settlement Report and is discussed in the correspondence on Mr. Butler's scheme for the introduction of the zaildari agency into the Attock Tahsil, to be found in Government Proceedings for March 1904, Nos. 1—6, File No. 10. The inams were distributed according to the old fiscal divisions known as "ilakas"; they were conditional on good conduct and service; were not hereditary, but, in the event of a vacancy, the successor was to be as far as possible of the same tribe and tract as his predecessor. The limits of the "ilakas" not being defined it was difficult to fix responsibility. I agree with Messrs. Butler and Kitchin that the system has been a complete failure, and I do not think the stricture of the former officer is too severe when he says that "the inefficiency of the system has been largely responsible it is believed for the criminal tendency of the Attock Tahsil."

2. Mr. Wilson in 1896 finding the system unworkable devised circles of villages for each "inamkhor". He found the grouping, and sometimes the selection of the inamkhors so bad that he was compelled to appoint several honorary inamkhors, who held no inams, but to whom circles were given and duties assigned. Mr. Wilson's circles were reported to the Financial Commissioner for sanction, but it was ordered that the matter should be left over for the Settlement Officer—Financial Commissioner's No. 5509, dated 14th September 1901. These circles, the Settlement Officer reports, were fixed with much skill and local knowledge, and must form the basis of any subsequent division into zails.

3. The advantage of the zaildari system over that of one of "inam" is now readily recognized, and all that has to be considered is whether it can be introduced. Mr. Kitchin is in charge of the settlement of the Pindigheb and Fatehjang Tahsils, which now belong to the Attock District, in addition to the four tahsils of the Rawalpindi District as now constituted. It is probable that there will be difficulties in introducing the system into the Pindigheb and Fatehjang Tahsils with regard to the strong faction feeling that exists and to the existence of large jagirs and hereditary inams. In any case the Settlement Officer wishes to postpone consideration of the subject until he has thoroughly inspected the villages of these two tahsils, and I concur with him as to the desirability of following this course. In Pindigheb especially, having regard to the great local influence of the Pindigheb Maliks and the Khan of Makhad, the success of a pure zaildari system would be doubtful. The present proposals then apply only to the four tahsils of the present Rawalpindi District.

4. Mr. Kitchin proposes the introduction of the zaildari agency in every tahsil, except that of Murree where he proposes some slight modifications. He deprecates following too closely the system that was sanctioned for the Attock Tahsil, and I agree with him that it will be an advantage, on the first introduction of the system, that the zails should not be too large. It may be possible at the next settlement to reduce the number of zails still further, but at present too sudden a change from the existing system is not desirable. In Attock 12 zaildars were sanctioned in three grades of Rs. 250, Rs. 200 and Rs. 150 with an equal number of inams of Rs. 75 and Rs. 50. Mr. Kitchin proposes one inam for each zail in the first three tahsils, the "inamkhor" being a kind of understudy to the zaildar. He of course may be required by the Collector to perform any of the duties of a zaildar under Revenue Rule 174, and the Collector will be well advised in giving such an order as otherwise the duties of the "inamkhor" are extremely vague as remarked by the Settlement Officer. Mr. Kitchin proposes, for the Rawalpindi and Gujar Khan Tahsils, three grades of Rs. 200, Rs. 150 and Rs. 100 for the zaildars, 17 and 15 respectively, and a corresponding number of inams at Rs. 50 each in each tahsil. For Kahuta he proposes 11 zaildars at a reduced rate of Rs. 150, Rs. 125 and Rs. 100 for reasons given by him in paragraph 9 of his Report, with a corresponding number of inams at Rs. 50. In Murree, paragraph 10, he proposes 5 zaildars in three grades of Rs. 120, 100 and 80, with 10 inams in two grades of Rs. 60 and Rs. 40. He also proposes that the limits of the zails in this tahsil be fixed by order of the Financial Commissioner in the ordinary way, but that the Deputy Commissioner should have power to give each or any "inamkhor" a separate circle and to alter the circles from time to time as circumstances may suggest. By "inamhkhor" in this sentence I understand him to mean zaildar as well as an inam-holder properly, the Deputy Commissioner being given power to alter the limits of all inam-holders in this tahsil both holders of zaildari inams and of the inams properly so called. The proposals have been carefully considered, and I recommend them for sanction. Mr. Kitchin has very great local knowledge, and it is probable that they are based upon his knowledge of the men who are fit to hold the new offices.

5. His proposals are summarized in paragrrph 11. At last settlement there were 130 "inamkhors" holding inams in value Rs. 6,430 or 18 per cent. of the land revenue demand. He proposes 48 zaildars drawing Rs. 6,605 in allowances, or 1·01 of the land revenue demand, and 53 inamkhors holding inams in value Rs. 2,610 or ·4 of the land revenue, the total being Rs. 9,215 or 1·41 of the land Revenue demand. There has thus been an increase of Rs. 2785 in the total value of the allowance and inams with an excess of ·16 over the usual percentage for zails and inams, on the land revenue. I agree with the Settlement officer that this slight excess shold not be an impediment to the acceptance of the present scheme.

6. Orders are required on one or two points in particular :—

(a) In paragraph 12 Mr. Kitchin recommends that in cases where "inamkhors" cannot be provided for under the new scheme and when their character and past services are such as to entitle them to consideration they shall retain their inams for life. I have ascertained from him that the amount of such inams is not likely to exceed Rs. 500 per annum, and it will gradually decrease with lapses. A similar proposal was sanctioned in the case of the Attock Tahsil, paragraph 3 of Financial Commissioner's letter No. 126, dated 17th February 1904, and I recommend it for the Rawalpindi district also.

(b) Appointments are to be made for the term of the present settlement.

(c) Inams are to be tenable only in the zail to which they are originally attached. In the case of the Murree Tahsils there will be the difference noted above as to the power of attering the limits of the circles.

7. In conclusion I have to draw attention to a point which has arisen in connection with the Attock zaildari system. After the sanction of Government was received to the introduction of the system, Mr. Butler proceeded to make his appointments. His proposals were reported to the Financial Commissioner and Government, and were duly sanctioned. It was considered by the local officers that, as the scheme including the appointments had been sanctioned by Government, no appeal lay to the Commissioner from the order of the Collector. Mr. Butler has discussed the merits of some, but not of all, candidates ; not regular files were made in any case, and no material exists upon which to decide a number of appeals which have been filed. I am referring that case separately, but I shall be glad if orders can be passed on the point with regard to the Rawalpindi District. The sanction of Government is not necessary to the selection of the various zaildars and "inamkhors" it seems to me. After the sanction of the Local Government has once been given to the introduction of the general scheme under Section 165, Land Revenue Rules, no further reference to Government is necessary, except perhaps with regard to the resumption of inams. The limits of each zail are to be sanctioned by the Financial Commissioner, and the appointements are to be made by the Collector in the ordinary way, subject to the right of appeal to the Commissioner and Financial Commissioner.

No 477 G., dated 4th August 1905.

From—W. De M. Malan, Esquire, Deputy Commissioner, Rawalpindi,

To—The Commissioner, Rawalpindi Division.

I have the honour to forward herewith, in original, a report by the Settlement Officer, Rawalpindi, on the subject of the introduction of the zaildari agency in this district, together with a copy of his letter No. 1148 of the 1st August 1905, and to state that I support that officer's proposals. I also agree with Mr. Kitchin that the scheme should be introduced cautiously, and that it would be politic to allow individual inamkhors to retain their inams for life or for the the term of the next settlement, when they cannot be provided for under the proposed scheme and when their character and past services are such as to entitle them to consideration.

No. 1148, dated the 1st August 1905.

From—The Settlement Officer, Rawalpindi.

To—The Deputy Commissioner, Rawalpindi.

I have the honour to forward a report prepared by me proposing the introduction of the zaildari agency in the Rawalpindi District. The report was written in June and has been seen unofficially by the Commissioner of the Division, and after being circulated was considered at a district meeting at which the Superintendent of Police, the Forest Officer and the District Transport Officer were present as well as yourself and myself. As the result of this conference I understand that all the local officers approve of the scheme in its entirety. I understand further that they agree with me that the scheme should be introduced cautiously, and that it would be politic to allow individual inamkhors to retain their inams for life or for the term of the next settlement, when they cannot be provided for under the proposed scheme, and when their character and past services are such as to entitle them to consideration. All appointments made under the proposed scheme, if sanctioned, would of course be for the term of the present settlement. I would now ask that you would forward the report to the Commissioner with an expression of your opinion.

Report onther proposed introduction of the Zaildari System into the Rawalpindi District.

Occasion of present report.

1. The present report is prepared in accordance with the instructions contained in Section 578 of the Settlement Manual. A similar report was prepared by Mr. Butler in November 1902 for the Attock Tahsil, which was then part of the Rawalpindi District, and the whole corresponence, together with the orders of Government, has been printed, and is contained in Government Proceedings, Revenue and Agriculture, for March 1904 and January 1905. Mr. Butler gives an abstract of the orders governing the present inam arrangements in the old Rawalpindi District, and the whole question is discussed at length in the printed papers. The strictures passed by Mr. Butler on the inam arrangements sanctioned at last Settlement are, in my opiuion, wholly justified, and a reform of system seems altogether desirable. At last settlement inams were sometimes given as a reward for past work and but seldom as an inducement to future work. The inamkhors then appointed included even some retired patwaris. and petty contractors. District Officers were given authority to redistribute inams as they fell vacant, with the result that every vacant inam was the occasion of intrigue and contention not only among claimants for inams, but also among existing inamkhors. Instances could be given of inams which have gradually increased out of all proportion to the merits of their holders, and of redistribution which resulted in the concentration of several inams in one village or even in one family. At last settlement a rule was sanctioned that vacant inams should be filled up from among the zamindars of the Assessment Circle of the first Regular Settlement in which the inam fell vacant. As noted by Mr. Butler, and for the reason given by him, this rule has long fallen into desuetude, and indeed it was unworkable. Of recent years in Mr. Wilson's inam circles, referred to in paragraph 3 below, this rule was entirely ignored. As a result, vacant inams have been filled up anywhere from within the tahsil in which the inams fell vacant; men have been appointed who are not lambardars, nor the head of their families; in some cases inams have been given as pensions to men of apparently deserving character, or of old family, who had fallen on poverty and evil days. Further, at last settlement, a principle was directly asserted that men in possession of jagirs of any value should not also receive inams, with the result that some of the most influential men in the district are not inamkhors, or liable to be called on to perform the duties which may be required of inamkhors. Making allowance for all these objections, the fact, however, remains that the inamkhors actually appointed include nearly all the men of influence in the district, and the mistake made was not of excluding the best men, but of inadequately rewarding them and utilising their services, as well as of including men of no influence and little apparent merit.

Separate report for Rawalpindi District.

2. In a note dated 11th January 1904, printed as part of the correspondence on the Attock Zaildari System, I stated that I expected to be able to propose the introduction of the zaildari system in tahsils Rawalpindi, Gujar Khan, Kahuta and Fatehjang, and expressed doubts about tahsils Murree and Pindigheb. Further I expressed a disinclination to pledge myself to the details of any subsequent proposals. In April 1904 the new Attock District was formed, and the necessity of separately considering tahsils Fatehjang and Pindigheb with reference to the systems sanctioned in tahsils Attock and Tallagang has arisen. Since writing the note of 11th January 1904, I have completed village note inspections in all the four tahsils of the present Rawalpindi District and have considered throughout the question of introducing the zaildari agency. In that note I expressed a hope that I should be able to submit proposals in the hot weather of 1905. The present report is in fulfilment of that promise, but I am compelled to confine the report to the new Rawalpindi District. Extended experience has shown that there will be very real difficulties in introducing the zaildari system in tahsils Fatehjang and Pindigheb. Mr. Stow, Assistant Settlement Officer, who inspected every village in the Pindigheb Tahsil, was of opinion that any zaildari system would prove unworkable having regard to internecine factions and to the existence of large jagirs and of hereditary inams. Until I have inspected personally the villages in tahsils Fatehjang and Pindigheb, it is impossible for me to formulate any proposals. This work, it is to be hoped, will be completed next cold weather and a report will be submitted next hot weather. Meanwhile, however, the problems presented by the Rawalpindi District are quite different, and it is an actual advantage to be able to submit separate proposals. The report therefore as now submitted has reference only to the arrangements in the new Rawalpindi District.

Mr. Wilson's circles.

3. The zaildari system is not new to the district, as it was introduced in a modified form some years ago. Mr. Wilson, late Settlement Commissioner, when Deputy Commissioner of this district, being much impressed with the inefficiency of the inamkhors, devised circles of villages for every inamkhor then existing. The work was very thoroughly done, sanads were given, books of rules distributed and inam registers prepared. The circles were made with much skill and local knowledge, and there is no doubt that Mr. Wilson's circles must form the basis of any subsequent division into zails. Mr. Wilson found the inamkhors so badly grouped and sometimes so badly selected that he was compelled to appoint several honorary inamkhors who held no inams but to whom circles were given and duties assigned. Every inamkhor was given a circle, and the number of inamkhors was so large that the circles are often very small, sometimes but a single village. Even so the

great advantage has been that the people have got used to the authority of inamkhors and many of the inamkhors have got used to work. There was some agitation against the inamkhors at first, but the agitation has now nearly all died away and the position of inamkhors has been greatly appreciated. This work was completed in 1897, and subsequently Mr. Wilson's circles were reported to the Financial Commissioner for sanction. The Deputy Commissioner of Rawalpindi reported the case with his letter No. 89, dated 8th February 1901, to the Commissioner, and the final orders of the Financial Commissioner were conveyed by his letter No. 550, dated 14th September 1901. The Financial Commissioner directed that the matter should be left for the Settlement Officer. However, although no formal sanction has ever been given, yet, since 1897, the circles have been used and a great deal of valuable experience has been gained. It has occasianally been necessary to alter or to amalgamate Mr. Wilson's circles, but this has only been done under special circumstances, as when an inam was resumed.

Since the settlement began, the Financial Commissioner, by letter No. 4213, dated 9th July 1903, directed that inams falling vacant during settlement should ordinarily remain vacant until new arrangements had been made. This rule has worked very usefully. Several inamkhors have died and some have been dismissed during settlement, and as in nearly all cases there were no good candidates available, the inams have been resumed, with great benefit to the working of the present system and with much clearing of the ground for the preparation of new proposals.

Possibility of introducing a zaildari agency.

4. Of the advisability of introducing the Zaildari System wherever it can be introduced there will, perhaps, be no dispute. All that has to be considered is whether it can be introduced. In the Rawalpindi District there are no big zamindars, there is no tribal chief whose position is independent of Government recognition, and there is no tribal organisation or faction feeling which would prevent the free selection of deserving individuals. The difficulty of forming zails is generally a geographical and not a tribal difficulty. Main lines of communication are fairly good, but internal communications are generally extremely bad, and there is small advantage to the administration in the appointment of zaildars in charge of zails in which they cannot get about. Experience of Mr. Wilson's circles has shown not only that the zaildari agency can be introduced, but also that men are available in sufficient numbers. It has also shown that zails must not be too numerous or too few. Most of the objections to the present system will disappear at once soon as zaildars and inamkhors are appointed and brought under the Revenue Rules. A zaildar must be a lambardar in his zail, and the appointment of men who are not lambardars and not the heads of their families will at once cease. Furthermore, the zaildar must belong to the predominant tribe in the zail, and we shall no longer find, man of small property and mean birth in a position of authority over men of higher spirit and prouder blood. As a general rule, a man of good birth can hold charge of a zail in which most of the zamindars are of lower spirit, but the converse is not the case. A Saiyid or a Ghakhar or Janjua can hold charge of any zail, but a Gujar will only be tolerated in a Gujar zail. These considerations have not always been observed in the past.

Proposed graded zails.

5. My present proposal is that the zaildari agency should be introduced in every tahsil, except that of Murree. The case of Murree can be discussed more readily in a later paragraph. Zaildars should be in grades, as the graded system is an important factor in efficiency. It is now necessary that my present proposals should somewhat diverge from the scheme which has been sanctioned for Attock. The circumstances of Attock are different from the circumstances of the Rawalpindi District, and I would deprecate too close a comparison with the system then sanctioned, or too keen a desire to obtain a uniformity of administration in tracts which are not themselves uniform. I am opposed to any attempt to make the zails very large. The zaildari system is new and will work all the better for being introduced gradually, and with regard to the feeling of the people at large and the existing inamkhors. At next settlement attempts might be made, if deemed necessary, to reduce the number of zails, but at present caution and moderation seem most desirable. The feelings of the existing inamkhors must be considered; wholesale reductions would cause bad blood and ill-feelings which might be handed down from father to son, as the disputes which arose under the Sikh rule cause strife and litigation to this day. The zails being somewhat smaller in size than the Attock zails, it necessarily follows that the emoluments must also be smaller. There is nothing objectionable in this, provided that the allowances are sufficient to be an object of real desire, and to make their resumption a real loss.

With regard to the gradation of zails I am strongly of opinion that a 1st Grade zail should be a notable distinction and a 3rd Grade Zail something of a disgrace, except to a newly appointed zaildar. It is with this idea that I propose that in each tahsil the 1st Grade Zails and the 3rd Grade Zails should each be one quarter and the 2nd Grade Zails one-half of the total number of zails in the tahsil. In furtherance of the same idea of honouring the local notable who has attained to the dignity of a 1st Grade zail, I should like to see all 1st Grade Zaildars declared entitled to the dignity of a chair within their districts. This is, however, a matter not directly material to the present subject, and is thrown out only as a suggestion for the consideration of the Commissioner.

Proposed inams.

6. In the Attock Tahsil the inams also have been graded. I do not propose to grade the inams and do not think it necessary to do so. The inamkhor has no very definite and precise duties to perform, except as understudy to the zaildar, and exceptional efficiency in an inamkhor will often lead ultimately to promotion to zaildar. Zail circles are being blocked out with some reference to the existence of men suitable for appointment as well as of tribal limits, and there will be few really efficient men left without appointments as zaildars. Money available to grade the inams would be better expended in increasing the value of the zail allowances. The number of inams should of course equal the number of zails. It is in my opinion of great impertance that one inam should be attached to each zail and that only land-owners in the zail should be available for appointment to the inam. In every zail fit candiates are available and always will be available, and there is a distinct gain in efficiency in having two men in each zail. Where considerations of case of administration alone prevail, there is no advantage in appointing more than one inamkhor in any one zail and a distinct disadvantage in leaving a zail with only a zaildar and no inamkhor. This is a subject on which special orders are required.

I now proceed to detail the proposed arrangements in each tahsil.

Tahsil Rawalpindi.

7. The area of the tahsil is 761 square miles. At last settlement 44 inams were given in this tahsil, aggregating in value Rs. 2,066, being a percentage of ·97 on the land revenue demand of last settlement. During settlement four inams have been resumed; one inam had previously been resumed under orders of Government and one redistributed. A new inam was also created, making a total decrease of five. The total number is now 39, aggregating Rs. 1,911. The existing inams are in 13 different grades and vary from Rs. 30 to Rs. 120 per annum; 28 inams are of the value of Rs. 50 per annum and less and 11 are of value from Rs. 60 upward.

There are 462 villages in the tahsil and 4 police stations, exclusive of Rawalpindi city and cantonments. The distribution of the villages among the different tribes in the tahsil and the proportion of the cultivated area owned by each tribe is as follows :—

Tribe.	Number of villages.	Percentage of total villages.	Percentage of cultivated land owned.
Saiyid	19	4	5
Ghakhar	53	12	8
Gujar	50	11	12
Dhund	11	2	2
Dhanial	13	3	3
Khattar	18	4	3
Awan	79	18	17
Rajput	136	30	26
Jat	16	4	3
Miscellaneous	54	12	21
Total	449	100	100
Forests and Cantonments	13	...	...
Total Tahsil	462	...	...

Seventeen zails are proposed in this tahsil and a corresponding number of inams. The proposed distribution is as follows :—

	Rs.
4 1st Grade at Rs. 200	800
9 2nd Grade at Rs. 150	1,350
4 3rd Grade at Rs. 100	400
Total Zails	2,550
17 Inams at Rs. 50	850
Total Tahsils	3,400

The average number of estates per zail is 27, and average area of a zail is 45 square miles.

Tahsil Gujar Khan.

8. The area of this tahsil is 568 square miles. At last settlement 34 inams were sanctioned of an aggregate value of Rs. 1,942, being a percentage of ·87 on the land revenue of last settlement. One inam was redistributed before settlement, and five have been resumed during settlement. There are thus 28 existing inams of the value of Rs. 1,697. There are at present 10 grades of inams, 16 vary from Rs. 30 to Rs. 50, and 12 vary from Rs. 60 to Rs. 140. The last-named inam, of the value of Rs. 140, is the largest inam in the district.

There are 3 police stations and 384 estates in the tahsil of which the ownership is divided as follows :—

Tribe.	Number of estates.	Percentage of total villages.	Percentage of cultivated land owned.
Saiyid ...	4	1	2
Ghakhar ...	43	11	6
Brahman ...	17	4	2
Rajputs and Moghal ...	155	41	10
Awan ...	39	10	10
Dulal Kureshi ...	11	3	4
Gujar ...	61	16	13
Jat ...	35	9	22
Miscellaneous ...	18	5	31
Total ...	383	100	100
Forests ...	1	...	...
Total Tahsil ...	384	...	...

Fifteen zails and a corresponding number of inams are proposed, the scale of allowances being the same as in the Rawalpindi Tahsil, and the distribution being as follows :—

	Rs.
3 1st Grade at Rs. 200 ...	600
8 2nd Grade at Rs. 150 ...	1,200
4 3rd Grade at Rs. 100 ...	400
Total Zails ...	2,290
15 Inams at Rs. 50 ...	750
Total Tahsil ...	2,950

The average number of estates in each zail is 26 and the average area is 38 square miles.

Tahsil Kahuta.

9. The area of the tahsil is 370 square miles. The number of inams granted at last Settlement was 28, of an aggregate value of Rs. 1,467, being a percentage of 1·54 on the revenue demand. It may be noted that the abstract of inams sanctioned up to 17th January 1889 printed in the inam correspondence of last settlement does not include inams sanctioned in subsequent correspondence. Five inams have since been resumed, and under the orders of Government one of the inam was reduced by Rs. 65 on the death of the existing incumbent. There are now 22 inams of the gross value of Rs. 1,212. They are in 10 grades, 12 being of the value of Rs. 50 and less, 1 being only Rs. 16 and 10 vary in value from Rs. 70 to Rs. 100. After last settlement 1 inam was redistributed and 5 have been resumed in this settlement.

There are 2 police stations and 290 estates in the Kahuta Tahsil. The distribution of the estates and cultivated area among the principal tribes is as follows :—

Tribe.	Number of villages.	Percentage of total villages.	Percentage of cultivated area owned.
Saiyid ...	5	2	1
Ghakhar ...	15	6	8
Janjua ...	33	14	11
Satti ...	29	12	8
Rajput ...	72	30	37
Brahman ...	13	5·5	6
Moghal ...	12	5	5
Awan ...	8	3	4
Jat ...	4	2	1
Jaskam ...	13	5·5	3
Miscellaneous ...	36	15	16
Total ...	240	100	100
Forests ...	50	...	...
Total Tahsil ...	290	...	...

The Kahuta Tahsil is difficult to divide into zails, owing partly to the mountainous character of the north part of the tahsil, and partly to the hill tribes being in blocks of villages which, whether large or small, must be kept separate. The owners are generally a fine manly lot, but like all hill tribes very democratic. The material available for zaildari appointments is certainly poorer than in either Rawalpindi or Gujar Khan. The zaildari agency can, however, be introduced, but it is necessary to have somewhat smaller zails, and it is not worth while giving the same scale of allowances as in the two former tahsils. The Zaildars who will be appointed are not worth more, and the allowances proposed are quite sufficient to be an object of desire. I propose to introduce the zaildari agency everywhere, even in the hills. I have kept the same scale of inam as before, as the difference is very small.

I propose 11 zails graded as follows :—

	Rs.
3 1st Grade at Rs. 150 each ...	450
5 2nd Grade at Rs. 125 each ...	625
3 3rd Grade at Rs. 100 each ...	300
Total Zails ...	1,375
11 Inams at Rs. 50 each ...	550
Total Tahsils ...	1,925

The average number of estates per zail is 26 and of inhabited villages 22; the average area of a zail is 34 square miles.

Tahsil Murree.

10. The area of the tahsil is 258 square miles. The number of inams granted at last settlement was 24 of an aggregate value of Rs. 955, falling at 7 per cent. on the land revenue demand. One inam was resumed before settlement and 2 during settlement, so that 21 inams remain of a gross value of Rs. 845. The remaining inams are in 10 grades, 16 are of the value Rs. 50 and less, of which 8 are of the value of Rs. 25, the

remaining inams vary from Rs. 70 to Rs. 100. There are 2 police stations and 155 estates owned by the following tribes:—

Tribes.	Number of villages.	Percentage of total villages.	Percentage of cultivated area owned.
Dhund	61	60	45
Dhanial	13	13	10
Satti	18	17	23
Kethwal	3	3	12
Miscellaneous	7	7	10
Total	102	100	100
Forests and Cantonments	53	...	...
Total	155	...	...

The Murree Tahsil is owned by compact blocks of tribes, which are quite distinct from one another. The four tribes are Dhunds, Satti, Dhanial and Kethwal.

The tahsil consists of three spurs, running parallel to the Jhelum River, with the intervening valleys. The spurs are known as, the Kotli spur above the Jhelum river, the Patriata spur in the centre of the tahsil, and the Murree spur in the west. The whole Kotli spur is owned by Sattis. The Kethwals own the huge village of Charihan with two connected villages occupying the centre of the Patriata spur. The Dhunds own the whole of the Murree spur and a few villages at the north of the Patriata spur, while the Dhunds hold the villages on the south slopes of the Patriata spur. The miscellaneous villages are all owned by Saiyids and Kureshis, who have been planted among the hill tribes. The Sattis, and to a less extent the Dhanials, who are fine soldierly tribes, are alone in paying regard to their leading men. The Dhunds and Kethwals are intensely democratic and jealous of one another besides being litigious and criminal. Throughout the tahsil, but especially among the latter two tribes, forest offences are very common.

The pure zaildari system would not work in this tahsil. Except perhaps in the Satti and Dhanial country, there are no men who have the influence or the will to control a large circle. The number of inams created at last settlement was altogether excessive, and many of the inamkhors are not only useless, but actively mischievous. At the same time the forest Rules press so heavily upon the people that some measure of generosity in dealing with the leading men is very desirable.

I propose five zails in three grades of Rs. 80, Rs. 100 and Rs. 122 and 10 inams of Rs. 40 and Rs. 60.

The proposed grading is as follows:—

Zails.

	Rs.
1 1st Grade at Rs. 120	120
2 2nd Grade at Rs. 100 each	200
2 3rd Grade at Rs. 80 each	160
Total	480

Inams.

	Rs.
3 1st Grade at Rs. 60 each	180
7 2nd Grade at Rs. 40 each	280
Total inams ...	460
Total Tahsil ...	940

The total amount of the proposed grants is Rs. 15 less than at last settlement as against a prospective increase in the revenue demand of over 80 per cent.

The five zails proposed and the proposed distribution of inams among the zails is as follows:—

Satti Zail.—Two inams, both of Rs. 40.

Dhanial Zail.—Two inams, one of Rs. 60, one of Rs. 40.

Kethwal Zail.—One inam of Rs. 40.

North Dhund Zail.—Three inams, one of Rs. 60, two of Rs. 40.

South Dhund Zail.—Two inams, one of Rs. 60, one of Rs. 40.

Further I propose that the distribution and gradation of inams in each zail shall remain constant throughout the term of settlement. The Satti and the Dhanial zails, owing to the character of the people, could be controlled by one Zaildar. The Kethwal zail will consist only of three villages, but Charihan is a huge village of some 80 hamlets.

Here again sub-division is not necessary, as no satisfactory sub-division could be made.

In the two Dhund zails, owing to the turbulent character of the people, to the difficulty of communications, and to the absence of any really influential men, it is hopeless to expect any single man to effectively control a whole zail. I therefore propose that the limits of the zails should be fixed by order of the Financial Commissioner in the ordinary way, but that the Deputy Commissioner should have power to give each or any inamkhor a separate circle, and to alter the circles from time to time as circumstances may direct. I would myself suggest such circles to the Deputy Commissioner, but they would not be reported for sanction. Taking the number of zails as five, the average area of each zail would be 52 square miles and the average number of inhabited villages 20 and of estates 31.

Summary of proposals.

11. The present proposals are summarised in the table below:—

Names of Tahsils.	Number of zails proposed.	Value of zail allowances.	Number of inams proposed.	Value of inam allowances.	Total cost, zails and inams.
		Rs.		Rs.	Rs.
Rawalpindi	17	2,550	17	850	3,400
Gujar Khan	15	2,200	15	750	2,950
Kahuta	11	1,375	11	550	1,925
Murree	5	480	10	460	940
Whole district	48	6,605	53	2,610	9,215

The inams granted at last settlement, with the land revenue demand and the percentage of the inam allowances on the land revenue demand, are shown below:—

Tahsils.	Inams.	Land Revenue.	Percentage.
	Rs.	Rs.	
Rawalpindi	2,066	2,14,850	·97
Gujar Khan	1,942	2,22,420	·87
Kahuta	1,467	95,345	1·54
Murree	955	13,492	7·
Total district	6,430	5,46,107	1·18

The future land revenue demand of the district can only be estimated. Village inspections have however, been completed; the Assessment Report of tahsil Gujar Khan has been submitted to Government, and the Assessment Reports of the other tahsils are in course of preparation. It is accordingly possible to estimate very closely the future demand which will be proposed. The estimate now given differs somewhat from that given in a recent report on Patwar circles submitted through the Settlement Commissioner to the Financial Commissioner. As the difference in the estimate may excite remarks in the Financial Commissioner's Office, it is desirable to mention that the present estimate, being made after completion of village inspections, is the more accurate. In the following table is shown the rate of incidence of the cost of the proposed new arrangements in the estimated future land revenue demand in each tahsil and for the whole district:—

Name of Tahsil.	Estimated future Land Revenue Demand.	Percentage on estimated Land Revenue Demand of cost of proposed		
		Zails.	Inams.	Zails and inams.
	Rs.			
Rawalpindi	2,60,000	·98	·33	1·31
Gujar Khan	2,58,000	·85	·29	1·14
Kahuta	1,10,000	1·25	·5	1.75
Murree	24,500	1·96	1·88	3·84
Total district	6,52,500	1·01	·4	1·41

Thus it will be seen that while the proposed cost of the zails approximates very closely to the allowances of 1 per cent. for zail allowances, yet the combined cost of zails and inams exceeds the usual allowance for zails and inams of 1·25 per cent. on the land revenue. It is so very desirable to introduce the zaildari agency that I can hardly think that the extra cost involved will be any impediment to the acceptance of the present proposals. The money will certainly be well spent.

Resumption of existing inams.

12. It will be seen from the paragraphs on the separate tahsils that at last settlement 130 inams were sanctioned and that 110 still remain. The present proposals provide for 48 zails and 53 inams, or a total of 101 grants. The geographical distribution of the present inams in every tahsil except Murree, and especially in Gujar Khan, is so bad that the number of resumptions will necessarily be greater than the difference between the totals of the existing inams and of the new grants. All the inams at last settlement were granted for the term of settlement, so that there is no legal or moral obligation to extend the period of any inam of which the holder does not receive any grant under the present scheme. Further it will sometimes be found that previous inamkhors are granted new inams of a less value than their previous inams. In such cases as above I trust that generous treatment will be extended to the old inamkhors, and that, on special reasons shown, they will be allowed to continue to hold their present inams for life or for the term of the future settlement, whichever should be sooner. Indeed, in this matter it will be politic to be generous, so that ill-feeling and bickering may not spoil the working of the proposed scheme at the very beginning. With regard to Mr. Willson's honorary inamkhors, it will be sufficient to leave them as honorary inamkhors for life. Some of them may perhaps receive inams in the present distribution.

Conclusion,

13. The present settlement, and with it the period of the present inams, expires with the present harvest, Rabi 1905. It is expected that the new assessments in the Gujar Khan Tahsil will be announced from Kharif 1905, and in the other tahsils from Kharif 1906. It will be in allways most convenient to introduce the zaildari agency in the whole district at the same time, and this will most conveniently be from Kharif 1906. This will also allow time for the preparation of all the village lists, maps and zaildari books, rendered necessary by the introduction of the zaildari agency. In addition to the orders on the general scheme, orders are also required on the proposal to render inams tenable only in the zail to which they may be orginally attached.

No. 4, dated Lahore, 6th January 1906.

From—A. L. DANSON, Esquire, Under-Secretary to Government Punjab, Revenue Department,

To—The Senior Secretary to the Financial Commissioner, Punjab.

IN reply to your letter No. 793, dated 2nd November 1905 (Sub-head 61 File No. 118), I am directed to convey sanction, under Rule 165 (*i*) of the Land Revenue Rules, to the establishment of the office of zaildar in the Rawalpindi District. The proposal to appoint 48 zaildars is also approved.

2. Subject to such further orders as may be required when the actual assessment for the whole district is known, the Lieutenant-Governor is pleased to fix 1·01 per cent. of the land revenue of the district as the percentage to be appropriated under Land Revenue Rule 171 (*ii*) for the remuneration of the zaildars.

3. With reference to Land Revenue Rule 171 (*iii*), I am to say that there will be one zaildari fund for the district, though the grading of zaildars will be by tahsils as proposed by the Settlement Officer.

4. The proposal made in paragraph 12 of the Settlement Officer's report, which is one of the enclosures of your letter under reply, for compensating existing inamdars, is approved. Subject to the condition that the total does not exceed Rs. 500 per annum, the amounts to be paid may be sanctioned by the Financial Commissioner.

5. The Lieutenant-Governor approves generally of the arrangements proposed for inamdars; and agrees that the arrangements for both zaildars and inamdars should be for the term of settlement. His Honour also accepts the proposal made in paragraph 8 of your letter that the term "Inamdars" should be used in official correspondence.

No. 830, dated Lahore, 26th October 1904.

From—R. HUMPHREYS, Esquire, Senior Secretary to the Financial Commissioner, Punjab,

To—The Chief Secretary to Government, Punjab.

MR. CONNOLLY's letter No. 35, dated the 7th March 1904, conveyed the sanction of Government to the establishment of the office of zaildar in the Attock Tahsil. I am now directed to forward, with its enclosures, a letter No. 2667, dated the 28th July 1904, containing definite proposals, and to convey the following remarks.

2. The proposals for constituting 12 zails appear to be suitable and are approved by the Financial Commissioner. It will be noted that it has been possible to arrange that the boundaries of Patwaris' circles, zails and thanas shall be conterminous. Sanction to the rates of emoluments for the zaildars as follows is solicited :—

	Rs.		Rs.
3 of the 1st Grade on	250	... ...	750
4 „ 2nd „	200	... ...	800
5 „ 3rd „	150	... ...	750
		Total ...	2,900

In addition to the zails it is proposed to have 12 ordinary inams, 4 of Rs. 75 each and 8 of Rs. 50 each, totalling Rs. 700. Sanction to these is also requested. The total annual charge for zaildars and inamdars will accordingly be Rs. 3,000 or 1·4 per cent. of the new revenue assessment of the tahsil, which amounts to Rs. 2,04,240.

3. It is proposed that the offices referred to in the preceding paragraph shall be subject to the rules for inamdars framed under the Land Revenue Act, and on receipt of sanction to the proposals, a draft notification under Rule 172 will be submitted in due course applying Rules 173, 173-A and 174 to them.

4. The proposals summarized in the foregoing paragraphs provide for 20 out of the 40 existing inams. Three inams are vacant, and it is not proposed to re-grant them, and 4 inams, namely those of Gharib Shah, Amirullah, Amir

Khan and Abdullah Khan, are recommended for resumption. All the local officers (except the Settlement Officer, Hazara, who is doubtful) are unanimous as to the advisability of these resumptions, and the recommendations have the Financial Commissioner's support. There remain therefore 12 inams which are discussed in paragraph 3 of Mr. Butler's note, and that held by Sherdil Khan of Shinka, which it was at first proposed to resume, but which is now recommended for continuance. There is also an inam of Rs. 50 which is proposed for Muhammad Khan. This man has hitherto been in receipt of an inam of Rs. 100, but in the scheme for regular inams this will be reduced to Rs. 50; hence the personal allowance of Rs. 50 which it is now proposed to give him. These proposals have been carefully examined by the Financial Commissioner, and have his support. They involve an annual expenditure of Rs. 1,105, which, with that on the regular zaildars and inamdars, makes a grand total of Rs. 4,105, or a little over 2 per cent. on the assessment of the tahsil. These inams will, however, not be renewed on the demise of the present holders, and so will gradually lapse. The proposals therefore do not appear to the Financial Commissioner to err on the side of excess. The holders of these inams will be subject to the Revenue Rules in the same way as those of the regular inams, but the inams should be sanctioned only for the lives of the present incumbents or the term of the new settlement, whichever is shorter.

5. It is proposed that the new scale of inams should be introduced at once, although the new settlement will not begin until kharif 1905. The reasons for this proposal are not given, and it seems to the Financial Commissioner to be unnecessary to bring in the new scheme before the new assessment takes effect. This proposal therefore is not supported by the Financial Commissioner. At the same time Colonel Montgomery thinks that the four inams which it is proposed to resume should be resumed with effect from the present kharif. The men are useless, and they should be at once deprived of the emoluments which they have enjoyed for so long without any work. This recommendation is made with reference to the first of three conditions contained in paragraph 8 of this office letter No. 175, dated the 4th March 1887, sanction to which was conveyed in paragraph 4 of Punjab Government letter No. 23, dated the 19th March 1887.

No. 2667—B-IV-25, dated Rawalpindi, 28th July 1904.

From—L. White King, Esquire, C. S. I., Commissioner, Rawalpipdi Division,

To—The Senior Secretary to the Financial Commissioner, Punjab.

With reference to your endorsement No. 1767, dated 18th March 1904, communicating the sanction of Government to the establishment of the office of zaildar in the Attock Tahsil of the Attock District, I have the honour to submit herewith for the Financial Commissioner's orders copy of a memorandum (with map and appendices in original) from Mr. Butler, Assistant Settlement Officer, on the zaildari system proposed for that tahsil, together with copies of the Settlement Officer's note and of the Deputy Commissioner, Attock's letter No. 663, dated 9th June 1904, on the same subject.

2. There are 3 zails proposed in the limits of the Campbellpur Thana, 5 in those of Hazro, and 4 in those of Hasan Abdal. The following table exhibits the distribution of villages, patwari circles, and inams in each of the 12 zails:—

Thanas.	Nos. of the zails.	Villages.	Patwari circles.	Number of inamkhors.	
				Old.	New (including personal life inams).
Campbellpur	I	18	4	3	3
	II	18	5	4	3
	III	13	4	3	2
Hazro	IV	20	7	2	3
	V	15	5	3	3
	VI	13	5	3	3
	VII	16	5	5	4
	VIII	12	7	6	6
Hasan Abdal	IX	7	2	3	3
	X	25	6	3	3
	XI	17	6	3	2
	XII	20	4	2	1

The zails, it will be seen, differ considerably as regards size, from 7 patwari circles with 20 villages in No. IV to only 2 patwari circles with 7 villages in No. IX; but there are doubtless good reasons for the distribution proposed, which has to be largely based on tribal constitution. In the case of the small zail, No. IX, Mr. Butler points out that there is work enough there for one man, as the place is seldom empty of troops, officials and travellers. The zails have been so disposed that no patwari will be under two zaildars, and no zaildar under two deputy inspectors,—a most convenient arrangement.

3. It is proposed that the zails should be numbered, not named. The Assistant Settlement Officer, in reply to my enquiry on this point, writes that the names of the zails have been purposely omitted, as where this rule is adopted the tendency is for the big man of the village which gives its name to the zail to consider the zaildari as his right,—a system the introduction of which into Attock is to be deprecated. I think there are good grounds for Mr. Butler's proposal, which may be adopted.

4. It will be seen from the statement annexed that, in his distribution of zaildars and inams by castes, the claims of each tribe have, on the whole, been carefully considered by the Assistant Settlement Officer:—

Caste.	Proportion of revenue paid.	Number of zails.	Number of new inams.
	Per cent.		
Pathans	49	4	5
Gujars	14	2	1
Awans	12	2	4
Khattars	11	2	...
Sheikhs	4	1	1
Miscellaneous (Rajputs, Sayads, &c.,)	10	1	1

5. Owing to my imperfect local knowledge, I am unable to offer any useful criticism as to the qualifications of the various persons recommended for zaildarships and inams, but Mr. Butler has an intimate acquaintance with the circumstances of the tahsil, and I think that his proposals, in support of which detailed reasons ar supplied in the appendix to his memorandum, may be adopted without hesitation.

6. In regard to the existing inams, it appears that three of these are vacant, which need not be filled up. Mr. Butler at first suggested the resumption of 5 (five) of the old inams as given below:—

	Rs.
Gharib Shah of Campbellpur, Zail II	50
Amirullah of Lundi, Zail IV	50
Amir Khan of Wardak, Zail VII	75
Sherdil Khan of Shinka, Zail VIII	50
Abdullah Khan of Jalala, Zail VIII	50

Since his letter was written, however, he has intimated that his recommendation regarding the resumption of Sherdil Khan's inam might be reconsidered. Both Mr. Watson and the Deputy Commissioner of Attock concur in this opinion, which I support. The Settlement Officer agrees with Mr. Butler in regard to the resumption of the inams of Gharib Shah and Abdullah Khan, and, under the circumstances, effect may be given to the proposal. Mr. Watson expresses doubt as to the inams of Amir Khan and Amirullah, which he is inclined to continue, but the Deputy Commissioner gives strong reasons for their resumption, which I recommend.

The Assistant Settlement Officer gives a list of 12 inamkhors in regard to the continuance of whose inams (aggregating Rs. 1,005 in value) orders are required. In each case a brief note is added setting forth the status and character of the inam-holder and supplying reasons for the proposed continuance of the inam. To this list should be added the name of Sherdil Khan of Shinka, who enjoys an inam of Rs. 50. In regard to this man Mr. Butler writes as follows:—"I think was rather hasty over this. He (Sherdil Khan) is a very nervous, quiet man, and I had not found him of much use to myself; but I have recently heard a great deal of good about him. He is useful to the Native subordinates, and his village is a large one." I recommend that sanction be accorded to the continuance of these 13 inams to the present incumbents as personal grants.

In addition to the foregoing, Mr. Butler recommends a personal allowance of Rs. 50 to Muhammad Khan, Inamdar of Zail No. VIII, whose present inam is Rs. 100, and for whom an inam of Rs. 50 only under the new scheme is proposed. This arrangement may be sanctioned for the life of Muhammad Khan.

The total amount of inams proposed aggregates Rs. 4,105, or slightly over 2 *per cent* of the total jama of the tahsil (Rs. 2,04,240), the sanctioned proportion.

N.B.—The actual percentage is 2·01 per cent.
L. WHITE KING.

7. All personal inams, as Mr. Butler points out, should be held under the Land Revenue Act, and subject to the same conditions of service as the inams under the new scheme. They would, subject to these conditions, be held for life, or for the term of settlement, and would not be filled up on the holder's death, or on his sucession to an inam or zail under the new scheme.

8. Mr. Butler suggests in paragraph 4 of his memorandum that the new scale of inams be introduced at once, though the new jama will not take effect until the kharif of 1905. The procedure he recommends for giving effect to his proposal has my support, and may be adopted. The 4 inams recommended for resumption should be continued until the kharif of 1905. The total amount of these inams comes to only Rs. 225 *per annum.*

9. In regard to the last paragraph of the Deputy Commissioner's letter, I need only refer to paragraph 1 of your letter No. 126, dated 12th February 1904. Questions of succession, grade to grade promotion, the appointment of substitutes, &c., will of course be governed by general rules.

P.S.—With a view to the elucidation of the Assistant Settlement officer's report which is somewhat complicated, a tabulated abstract of his proposals is annexed.

ZAILDARI SYSTEM IN THE ATTOCK TAHSIL.

1. The Punjab Government, in their letter No. 35, dated 7th March 1904, have ordered the introduction of the zaildari system into Attock. The instructions contemplate the assignment of Rs. 3,000 for the purpose, to be distributed as follows :—

	Rs.		Rs.
3 Zaildari allowances on	250	=	750
4 ,, ,, ,,	200	=	800
5 ,, ,, ,,	150	=	750
Total		...	2,300
4 Inams on	75	=	300
8 ,, ,,	50	=	400
Total		...	700
GRAND TOTAL		...	3,000

I am also directed to consider the cases of deserving men who have hitherto held inams which, under the new scheme, will be destined for extension. These inams are to be continued for the life of the incumbents; and the total cost, including the personal inams, is to be kept down to 2 % of the new revenue, that being the scale previously in force. In the appendix to this report I have shown by thanas and patwari circles how I would propose to form the zails, and whom I would select as zaildars and inamdars. The scheme is so arranged that no patwari shall be under two zaildars, and no zaildar under two Deputy Inspectors; and the thana limits are also conterminous with those of the tahsil. Sanction to the arrangement of the patwari circles and thanas has already been obtained in connection with the discussion of the Police administration of the new district, and I have submitted a separate proposal for the allotment of the 1 field kanungo to each thana to round off the scheme.

2. The results of my selection are tabulated below for facility of reference. It will be remembered that the revenue is paid in the following proportion :—

Pathans.	*Gujlars.*	*Awans.*	*Khattars.*	*Sheikhs.*	*Miscellaneous.*
49%	14%	12%	11%	4%	10%

The amount of the old inam of each man is shown in parenthesis opposite his name. The new inams should, under Land Revenue Rule No. 174, carry with them the obligation to perform the duties prescribed for a zaildar in Land Revenue Rule No. 170 :—

	Amount recommended.
A.—Campbellpur Thana.	Rs.
I.—Muhammad Khan, Khattar, of Choi (Rs. 50)	150
Sikandar Khan, Awan, of Sarwal (Rs. 75)	75
Ghulam Muhammad, Awan, of Dher (Rs. 50)	50
II.—Sikandar Khan, Khattar, of Akhori (Rs. 75)	150
Muhammad Shah, Sayad, of Mirza (Rs. 50)	50
III.—Sher Muhammad Khan, Sheikh, of Haji Shah	200
His brother holds Rs. 100 which should be resumed.	
Ghazi Khan, Awan, of Mansur (Rs. 50)	75
Total	750
B.—Hazro Thana.	
IV.—Malik Muhammad Amin Khan of Shamsabad	250
His father was not given an inam at last settlement on the ground that he was a Jagirdar.	
Muhammad Khan, Sheikh, of Saman	50
Has always performed the duties of an inamdar on the strength of an hereditary inam.	
Chaudhri Said Muhammad, Gujar, of Musa-Kudlathi (Rs. 150)	150
Fateh Khan, Awan, of Seidan (Rs. 50)	75
Ghulam Haidar, Gujar, of Kalu Kalan	50
VI.—Ali Akbar Khan, Pathan, of Yasln (Rs. 50)	150
Mir Afzal Khan, Pathan, of Harun (Rs. 50)	50
VII.—Khan Sahib Muhammad Azim Khan, Pathan, of Hazro (Rs. 50)	250
Muhammad Khan, * Pathan, of Sarwana (Rs. 100) ...	50
VIII.—Muzaffar Khan, Pathan, of Malikmala (Rs. 200)	200
Mirdad Khan, Pathan, of Malikmala	50
Bahadur Khan, Pathan, of Bahadri (Rs. 75)	75
Total	1,400
C.—Hasan Abdal Thana.	
IX.—Fateh Khan, Rajput, of Hasan Abdal (Rs. 100)	200
X.—Ata Muhammad, Gujar, of Lah Tatu (Rs. 50)	150
Wali Muhammad, Pathan, of Garhi-Afghan ... ... His father holds an inam of Rs. 30 which will be resumed.	50
XI.—Ali Bahadur Khan, Pathan, of Islamgurh (Rs. 50.) ...	200
XII.—Malik Hayat Khan, Awan, of Bahallar Jogi (Rs. 100) ...	250
Total	850
GRAND TOTAL	3,000

* ... allowance of Rs. 50.

By castes the distribution works out as follows :—

	Zaildars.	*Inamdars.*	
(1) Pathans	4	5	
(2) Gujars	2	1	
(3) Awans	2	4	
(4) Khattars	2	...	
(5) Sheikhs	1	1	The Zaildar is a Zamindari Sheikh, and really stands for himself only. The inamdar is a Kanungo Sheikh. The Sheikhs of the tahsil are nearly all of the latter variety.
(6) Rajputs	1	...	
(7) Sayads	...	1	
	12	12	

3. The above scheme has accounted for 18 of the 40 existing inamkhors. It also provides, with the consent of the parties, for the resumption of the inams of Nur Alam of Haji Shah and Bostan Khan of Garhi-Afghanan, and their re-grant, with or without additions, to their relatives who actually do the work. The inams of the late Akbar Khan of Burhan and Qazi Fateh Khan of Gondal, and Bostan Khan of Bhingar, are vacant and need not be filled up. The inams of Gharib Shah of Cambellpur, Amirullah of Lundi, Amir Khan of Wardak, Sherdil Khan of Shinka, and Abdullah Khan of Jalala, have been recommended for resumption. They are all men who succeeded to the inams as their fathers' sons, and they are all nonentities. This leaves 12 inamkhors as to whose inams orders are required. A note is added as to each :—

	Amount of inam.	*Amount to be continued.*
	Rs.	Rs.
(1) Amir Khan, Pathan, of Waisa	100	100
(2) Firoz Din, Sheikh, of Saman	50	50
(3) Hafiz Sher Khan, Pathan, of Hazro	80	80
(4) Shahbaz Khan, Pathan, of Hazro	100	100
(5) Najaf Khan, Pathan, of Gurgushti	200	200

(1) Amir Khan, Pathan, of Waisa — Is the representative of one of the old families in the Chhach, but is not a very satisfactory person. He is, however, an elderly man, and I would continue the inam. He has held it since last settlement.

(2) Firoz Din, Sheikh, of Saman — A passable man, fit to be an inamdar if there were a vacancy. The inam was made to his father originally. I would continue it.

(3) Hafiz Sher Khan, Pathan, of Hazro — The blind Hafiz of Hazro is a well known figure. I consider him one of the greatest mischief makers in the Chhachh, but he has so many excellent certificates from officers of every grade that I must be wrong. I would continue the inam. The Hafiz is an old man, and, has held the inam since last settlement.

He is an inveterate intriguer and has imposed on many officers. I agree, however, that his inam should be continued for life.

J. A. L. Montgomery.

(4) Shahbaz Khan, Pathan, of Hazro — Has many defects, but is a very old man, and the head of one of the old Chhachh families. I would continue the inam. He has held it since last settlement. With all his faults he is loyal.

(5) Najaf Khan, Pathan, of Gurgushti — Najaf Khan is a young man, who might have turned out better had he had to work

	Amount of inam. Rs.	Amount to be continued. Rs.
for his inam. As it is, he is a quarrelsome, conceited person. He might still be brought into line, and his grandfather was a man of great influence. I had meant to recommend the reduction of his inam to Rs. 75 so as to let him feel the spur of competition, but I observe that when the question of the continuance of his grandfather's service inam was taken up, it was reduced from Rs. 400 to Rs. 200, amongst other reasons, because Najaf Khan was to get as well as a settlement inam of Rs. 200. I would, therefore, let his inam stand, but warn him that he must bestir himself,—*cf.* Punjab Government letter No. 559, dated 9th August 1895, to the Government of India.		
(6) Gulab Khan, Pathan, of Gurgushti	100	100
An older man than No. 5, but equally unsatisfactory. I had meant to put them both on a level, but as Najaf Khan's inam is not recommended to be touched, I would leave Gulab Khan as he is too. They should be treated alike, and their families once did well.		
(7) Mir Alam, Gujar, of Musa-Kudlathi	75	75
Belongs to the same family as Chaudhri Said Muhammad, whom I have proposed as Zaildar in Zail No. V. Both are perpetually quarrelling, and thus weaken an influence which might otherwise be great. I consider Mir Alam to be most at fault. Mir Alam is an old man, and I would continue his inam. He has held it since last settlement.		
(8) Munir Khan, Gujar, of Jallo	50	50
An old man of no particular family, with numerous certificates, who has fallen on evil days, and has lost all the influence he ever possessed. In his prosperous days he rose from the ranks and did good service, and was a power. I would continue the inam. It was sanctioned by Punjab Government letter No. 91, dated 30th November 1891.		
(9) Nur Khan, Awan, of Mirza	50	50
Is an old man of a singularly weak and foolish disposition. He was involved in the dispute between Muhammad Shah of Mirza and Sher Muhammad, Jassian, referred to in the Appendix under Zail No. II, and his son was used to put up an absurd charge of counterfeiting coin against Muhammad Shah, for which he is now doing a term of imprisonment for defamation. I had thought at first that it would be better to make a clean sweep of all these inams, but recently a public reconciliation has been effected between Muhammad Shah and Sher Muhammad, and now that the principals have been restored to favour, Nur Khan is hardly worth crushing. I would leave him his inam, and warn him not to cause trouble in future.		

	Amount of inam.	Amount to be continued.
	Rs.	Rs.
(10) Sultan Muhammad Khan, Khattar, of Wah	100	100
(11) Muhammad Khan, Khattar of Wah	50	50
Sultan Muhammad Khan is an absentee who is supposed to be represented by Muhammad Akbar Khan at Wah. Neither Muhammad Akbar Khan nor Muhammad Khan ever really exert themselves to assist the administration, and would not ordinarily be worthy of inams. Muhammad Khan is an old man. I recommended that the old inams be continued for life or the term of the coming settlement, and then lapse. The two inamdars, or their representatives, should be responsible for the five villages belonging to their family which have been included in Zail No. IX, *q. v.*		
(12) Sarfaraz Khan, Gujar, of Hissar	50	50
Sarfaraz Khan is a very powerful person, but very unscrupulous and unpopular. He does however, a good deal of work for Government, and his inam can hardly be resumed. I would keep on the inam, and absorb it later on in the inam scheme if occasion offered.		
There remains the personal allowance of Muhammad Khan, Pathan, of Sarmana, *vide* remarks on Zail No. VII	50	50
	1,055	1,055

This makes a total of Rs. 4,055 which is just under 2 per cent. of the tahsil *jama* which has been announced at Rs. 2,04,240.

All personal inams should of course be held under the Land Revenue Act, and be subject to the same conditions of service inside the zail as the inams under the scheme, but they should, subject to these conditions, be held for life, or for the term of the coming settlement. The difference between them and the inams under the scheme would be that they would not be filled up on the holder's decease, or on his succeeding to an inam or zaildari under the scheme. They would, in this way, not be so honourable, and the sons of the holders would not obtain the advantage enjoyed by the competent sons of deceased inamdars under the scheme, who by a ruling of the Financial Commissioner, have, *cæteris paribus*, a prior claim to succeed their fathers.

4. I also recommend that the new scale of inams be brought in at once, even though the new *jamas* will not take effect until the kharif of 1905. If this is accepted, the following procedure may be adopted. First, all the inamkhors should be formally notified that their inams will lapse with the expiring settlement. Then those who have been selected for grants under the new scheme should be asked, as a matter of form, whether they agree to come under it at once. As to the remainder, those whose inams have been recommended for continuance *in misericordiam* should be informed of what has been accepted, and should be warned that the favour is conditional on a recommendation in their favour being made by the Deputy Commissioner in 1905, when their regrants should be sent up again for formal approval. Those, on the other hand, to whom it is intended to make no concession should be advised accordingly, but their inams should not be resumed until the kharif of 1905. The five come to only Rs. 275 a year. Unless it is made clear that the new scheme stands apart from the old, the ingenious Chhachhi will discover that his inam has been transferred to some one else, and feuds will arise.

5. In conclusion, I would express a hope, born of two years' close knowledge of this tahsil, that no one will attach exaggerated importance to the mutual bickerings of the zaildar and inamdar class. It is a matter of honour here, far more than in the Punjab proper, to have disputes. At first efforts were made to settle these, but when it became obvious that the main object of the disputants was to have Government officials dancing attendance upon them, the simpler process was adopted of declining to enquire into the merits, or to hear the complaints, and to treating both parties as a common nuisance. Under this treatment things have gone very smoothly, and the inamkhors, who are really a fine manly body, have done excellent service. A map is enclosed.

M. S. D. BUTLER,
Assistant Settlement Officer.

6th May 1904.

Note by the Settlement Officer, Hazara, on the Zaildari system proposed for the Attock Tahsil.

I AGREE generally with Mr. Butler's proposals. My only doubt is about the inams which he wishes to resume. They are the following:—

	Rs.
Gharib Shah of Campbellpur, Zail No. 2	50
Amirullah of Lundi, Zail No. 4	50
Amir Khan of Wardak, Zail No. 7	75
Sherdil Khan of Shinka, Zail No. 8	50
Abdullah Khan of Jalaia, Zail No. 8	50

There need be no hesitation about the resumption of the inam of Gharib Shah who is incompetent and has been the subject of frequent complaints from the Police and Cantonment authorities. Nor, I think, need there be any doubt about Abdullah Khan, whose father Khairullah Khan died shortly before the submission of the inam proposals at last settlement. He is only about 22 years of age, and does not promise, apparently, to be a person of any capacity or usefulness. About the other three inamkhors, I have more doubts. Mr. Butler recommends the resumption of their inams because they were all inherited and their holders are useless nonentities. These inamkhors, however, are all middle-aged men; there is nothing serious against them, and the resumption of the inams must create some heart-burning. If Government is prepared to sanction the continuance of these three inams for life on the same conditions as the other personal inams, the total grant will be raised to Rs. 230 or 2·07 per cent. of the revenue, and as the extra expenditure involved will be so small, I recommend that the more liberal course be adopted.

No. 663, dated 9th June 1904.

From—B. N. BOSWORTH-SMITH, Esquire, Deputy Commissioner, Attock,

To—The Commissioner, Rawalpindi Division.

I HAVE the honour to forward a note by Mr. Butler, Assistant Settlement Officer, Attock, on the zaildari system proposed for the Attock Tahsil, together with the opinion of the Settlement Officer, Hazara:—

1. Mr. Watson expresses doubt as to the advisability of the resumption of these inams.

(1) Amirullah of Lundi receives an inam of Rs. 50. I find in the Assistant Commissioner, Attock's book a long indictment of uselessness and neglect against his name.

He has habitually failed to arrange for supplies at Gondal for Assistant Commissioner. He is reported as refusing to help in the crop inspections and in mutation work. He has recently had his inam confiscated for six months, and under Mr. Butler he has continued to earn the reputation he won before.

(2) Amir Khan of Wardak, inam Rs. 75. In 1897, Mr. Mant describes the village as being very badly conducted, full of thieves and a meeting place for Peshawari and Afridi dacoits.

Captain O'Brien later states that Amir Khan has not a single certificate to show he has ever been of any use, and that he has little influence and sense. His father who died in 1891 was a respectable man.

Mr. Ellis and K. Sher Ahmad Khan, C.I.E., dub him as the most incompetent inamkhor in the tahsil.

He has enjoyed the inam of Rs. 75 for 13 years without rendering any service.

(3) Sher Dil of Shinka. This man's record from 1894 to 1902 is one of inactivity with nothing actually to his discredit.

Captain O'Brien in 1898 says he makes himself useful to the Police. He is related to Ali Akbar of Yasin who is a proposed zaildar, and if he follows him, may do fair work, though his village of Pathans is a difficult one.

I think perhaps it may be politic to retain this man's inam, but I would most strongly recommend the immediate resumption of (1) Amirullah's inam of Rs. 50 and (2) Amir Khan's inam of Rs. 75.

If people who have distinctly bad records are now allowed to retain their inams, the main object of the proposed change, which is to exact service in return for rewards and position, will be defeated.

The feeling of soreness which may arise by these resumptions will be more than counterbalanced by the warning given to others.

2. I would not venture to criticise any of the arrangements proposed by Mr. Butler, whose knowledge of the Attock Tahsil over a period of two years is most intimate.

All I have been able to do is to compare his recommendations with Assistant Commissioner, Attock's confidential book of inamkhors, a valuable record covering a space of ten years. It is clear from that record and Mr. Butler's note that the inamkhors have not on the whole been a serviceable lot, but I am convinced the selection now proposed is as good as can be made, and I would recommend that the twelve personal inams recommended by Mr. Butler be retained during the lifetime of the present recipients subject to the usual conditions of loyal service.

The case of Najaf Khan, Pathan, of Gurgashti, who gets the inam of Rs. 200 is the most doubtful, but should he not prove worthy of the inam, separate representation on his case can be made later.

Subject to the above remarks, I would express myself in full accord with all Mr. Butler's proposals, and would ask that they be sanctioned as soon as possible.

3. I would at the same time enquire what rules should be observed as to promotion to, and reversion from, the various grades, and would suggest that as in Shahpur this may be left to the Deputy Commissioner, as in this way it is possible to promote a healthy rivalry among the zamindars.

No. 3, dated Lahore, 4th January 1905.

From—A. H. Diack, Esquire, Offg. Chief Secretary to Government, Punjab,

To—The Senior Secretary to the Financial Commissioner, Punjab.

I am directed to acknowledge the receipt of Mr. Humphreys' letter No. 830, dated the 26th October 1904 and, subject to the following remarks, to convey sanction to the Financial Commissioner's proposals for the introduction of the zaildari system in the Attock Tahsil and to his recommendations for the grant, continuance and resumptions of inams.

2. With reference to paragraph 3 of the letter under reply, I am directed to point out that a notification under Rule 172 of the rules under the Land Revenue Act seems unnecessary, as the inam rules have already been applied to the old Rawalpindi District including the Attock Tahsil, Rawalpindi being included in the list of Districts in Rule 172. Rule 173 A will accordingly become automatically applicable now that a graded system is being introduced.

3. As regards the four inams recommended for immediate resumption in paragraph 5, I am to say that, as the resumption is a settlement arrangement, it must be deferred till the expiry of the term of the present settlement.

No. 956, dated Lahore, 21st December 1906.

From—L. H. Leslie Jones, Esquire, Senior Secretary to the Financial Commissioner, Punjab,

To—The Chief Secretary to Government, Punjab.

With reference to Punjab Government letter No. 3, dated 4th January 1905, on the subject of zaildars and inamdars in the Attock tahsil, I am directed to forward a letter No. 2287, dated 27th June 1906, with enclosures, from the Settlement Commissioner, regarding similar arrangements in the Fatehjang and Pindigheb tahsils of the Attock district, and to convey the following remarks.

2. The Financial Commissioner, I am to say, has no doubt that it is desirable to introduce the zaildari system in these two tahsils, and he agrees to the principles on which it is proposed that the detailed scheme should be worked out. These principles are—

(1) The zails should be arranged by tribal and family divisions, rather than by administrative units of area, *i. e.*, patwaris' circles, thanas, &c.

(2) In making appointments we should endeavour to avoid interference with the hereditary spheres of influence of the heads of families, and the services of the representatives of leading families should be utilized in the discharge of the duties of zaildar.

3. If the introduction of the zaildari system is approved, Mr. Kitchin proposes to make 13 zails in Pindigheb and 12 in Fatehjang, graded as follows :—

		Rs.
Pindigheb	...	2 at 200 4 at 150 7 at 100
Fatehjang	...	3 at 200 4 at 150 5 at 100
Total	...	253,400

or 1·1 per cent. of Mr. Kitchin's proposed assessment for the two tahsils, which may, the Financial Commissioner thinks, be taken together for this purpose. Mr. Gordon Walker, however, in his review of the assessment report,—*vide* paragraphs 15 and 25,—proposed to raise Mr. Kitchin's assessment to Rs. 3,19,52 and his recommendation was accepted by Government in Punjab Government letter No. 252, dated 5th November 1906. On this sum the proposed zaildari inams would amount to 1·06-7 per cent. No exception need, the Financial Commissioner thinks, be taken to this slight excess, and he agrees to the proposals now made.

4. Mr. Kitchin further proposes the creation of 18 inams at 50 each = Rs. 900, in the two tahsils. These would amount to 28 per cent. on the assessment and Mr. Gordon Walker sees no reason to go above the ordinary limit of ·25 per cent. on the land revenue. He would, accordingly, reduce the amount of each inam to Rs. 45, which would give the required percentage. For the rest he agrees to Mr. Kitchin's proposals both as to the number of the inams and the principles of their distribution, in both tahsils.

5. As regards Mr. Kitchin's suggestion that the inams should continue to be held for the term of settlement in the zails to which they are now attached, I am to remark that land revenue rule No. 166, the application of which follows the application of land revenue rule No. 172, operates to prevent any changes of the kind which the Settlement Officer now deprecates. But the circumstances here are exceptional, and it may be found later that it is necessary to give the Deputy Commissioner the power of selection within tahsils, and to exempt future appointments from the restriction imposed by land revenue rule No. 166. This is, however, a matter which the Financial Commissioner would prefer to leave for further consideration should any necessity to alter the arrangements now made actually arise.

6. The Financial Commissioner also agrees that following the precedent of the Rawalpindi district and the Attock tahsil (*vide* paragraph 7 of my letter No. 793, dated 2nd November 1905, and paragraph 4 of Punjab Government letter No. 4, dated 6th January 1906), existing inamdars who lose their inams should receive compensation and retain their titles for life.

7. The Financial Commissioner further agrees that the appointments now proposed should be for the term of settlement only, but he thinks that the introduction of the scheme should begin from rabi 1907, instead of kharif 1906, as proposed by Mr. Kitchin, no doubt in the expectation that early orders would be passed. In this connection I am to explain that the Financial Commissioner considered it necessary to withhold the present reference until receipt of the orders of Government on Mr. Kitchin's proposals for the assessment of these two tahsils.

8. I am, accordingly, to recommend that the sanction of Government be accorded, under land revenue rule No. 165, to the introduction of the office of zaildar in the Pindigheb and Fatehjang tahsils, and to the proposals of the Financial Commissioner above set forth.

9. I am also to recommend the publication of the accompanying draft notification under rule 172 of the Land Revenue Act. It is not legally necessary as both the Jhelum and Rawalpindi districts are already included under the rule, but the Financial Commissioner thinks that it will now be convenient to include the Attock district by name.

No. 228, dated Lahore, 27th June 1906.

From—The Hon'ble Mr. J. M. Douie C.S.I., Settlement Commissioner, Punjab,

To—The Senior Secretary to the Financial Commissioner, Punjab.

I HAVE the honour to submit a copy of a letter No. 1719, dated 15th June 1906, from the Commissioner of Rawalpindi with its enclosures, on the subject of the introduction of the zaildari agency into the Fatehjang and Pindigheb tahsils of the Attock district.

2. The circumstances of these tahsils are quite different from those prevailing in the Rawalpindi district, or even in tahsil Attock, where the establishment of the office of zaildar was sanctioned in Mr. Connolly's No. 35, dated 7th March 1904. Mr. Kitchin's description of the conditions with which we have to deal is perfectly correct. It is essential to recognise throughout the greater part of both tahsils tribal limits, and inside tribal limits the spheres of influence of certain families. Inside tribes there are bitter feuds between families which we cannot disregard. The position of the great landowners with respect to their tenants is very different from what we find in most Punjab districts, and it is most desirable in the interests of the criminal administration in a tract where violent crime is rife, that that position should be recognized and utilized.

3. I agree with Mr. Kitchin in thinking that we must admit certain anomalous features into the zaildari system here, if it is to work well. These are described in the 3rd paragraph of his report.

4. I think the proposals as to the pay of zaildars and all the arrangements suggested as to sufedposhi inams are suitable.

5. The expenditure in Pindigheb will be 1-8 per cent. of the land revenue or one half per cent. above the usual standard. But the sum required is practically identical with that sanctioned for inams at last settlement, and in the case of tahsil Attock the old scale of expenditure was maintained though it exceeded 1¼ per cent. of the land revenue.

6. As in the Rawalpindi district and the Attock tahsil, men who have done nothing to forfeit the favour of Government, but whose inams will, in the general scheme, now come under reduction, should be allowed to retain them for life.

No. 1719, dated 15th June 1906.

From—M. W. FENTON, Esquire, Offg. Commissioner, Rawalpindi division,

To—The Settlement Commissioner, Punjab.

IN accordance with the procedure prescribed in paragraph 578 of the Settlement Manual, I have the honour to enclose herewith Mr. Kitchin's proposals for the introduction of a zaildari agency into the Pindigheb and Fatehjang tahsils of the Attock district. A copy of Deputy Commissioner's letter No. 2221 G., dated 9th instant, concurring in the Settlement Officer's proposals, is also forwarded.

2. Most of the questions involved in the present proposals have been discussed in Punjab Government Proceedings Nos. 61-7 A., of January 1906, regarding the introduction of a zaildari system into the four tahsils of the Rawalpindi district. What is novel in the present case is the arrangement of fixing zail limits with reference to tribal and family considerations rather than to thana and patwaris jurisdictions. Only by such an expedient can the difficulties which the Settlement Officer has all along apprehended (see paragraph 2 of his note on page 5 of the above-mentioned Government Proceedings) be surmounted. My experience in the Dera Ghazi Khan district, where, in the case, of the organised Biloch tribes, zail limits follow the boundaries of tumandari jurisdiction convince me that there are distinct advantages in thus adjusting administrative arrangements to the existing organizations based on tribal and family influence. The strengthen-

ing of the authority of the natural leaders of the people and identification of such authority with the interests of Government is always a gain to the administration: Mr. Kitchin has not submitted proposals for the actual delimitation of the zails, but if the principles for which he seeks recognition are approved, sanction to the actual delimitation can be formally conveyed hereafter.

3. It is unnecessary for me to restate the details of the several proposals set forth and explained in Mr. Kitchin's report. Except in regard to the principle discussed in the last paragraph they follow the Rawalpindi precedent. I commend the whole of his scheme for sanction.

No. 2021, G., dated 9th June 1906.

From—B. N. BOSWORTH SMITH, Esquire, Deputy Commissioner, Attock,

To—The Commissioner, Rawalpindi division.

I HAVE the honour to forward a report in duplicate by Mr. Kitchin, Settlement Officer, Rawalpindi and Attock districts, on the introduction of a zaildari agency in tahsils Fatehjang and Pindigheb.

2. I had the advantage of talking over with Mr. Kitchin his proposals especially with regard to zail limits and suitable persons to act as zaildars on which of course the ultimate success of the scheme depends.

It will be seen that he proposes 13 zails for Pindigheb and 12 for Fatehjang, and it will undoubtedly be possible to introduce a working scheme on the lines suggested which will make for efficiency without unduly disturbing traditional local authority, or stirring up tribal enmities.

3. The zaildari system in Attock tahsil has on the whole worked well during the year it has been in existence. There have been some protected appeals concerning the appointments, which have not had a good effect, and from the very sharp tribal distinctions often existing between adjoining villages it was inevitable that the appointments would excite jealousy, but in the present case the task is easier, as tribal limits are well defined.

4. In the case of the large landowners such as the Sardar of Kot, the Maliks of Pindigheb, Khunda and Malal and the Makhad family, the changes will be merely in official designation and remuneration.

At present the small inamkhor is overshadowed by the great disparity in position and wealth between himself and the large landowners referred to above. The introduction of the zaildari system will give him a definite sphere of influence and usefulness.

5. There can be no doubt that an adequate return is not generally received by Government from the recipients of small inams, and the proposal to reduce them as far as possible and to attach them to zails seems to me sound.

6. Over a vast but thinly-populated tract like Pindigheb, district authorities are naturally more dependent on the local leaders of the people for help in administration and police matters, and the somewhat high percentage (1·75) of the zaildari payment on the land revenue is therefore justified.

7. I would ask that the proposals be sanctioned and that Mr. Kitchin be authorized to fix zail limits and appoint zaildars at an early date, so that the new scheme may start this year.

Report on the introduction of the zaildari system into tahsils Fatehjang and Pindigheb of the Attock district, by A. J. W. KITCHIN, Esquire, Settlement Officer,—dated 27th July 1906.

THE present report is submitted under the directions contained in paragraph 578 of the Settlement Manual. In submitting last year a report proposing the introduction of the zaildari system in the Rawalpindi district, I stated that I was not yet ready to submit proposals with reference to the Fatehjang and Pindigheb tahsils, which have ceased to form part of the Rawalpindi district and now form, with the Talagang and Attock tahsils, the new Attock district. I promised to submit a separate report for these two tahsils, after completing village inspections. I have now seen, at least once, every village in the tahsils and have completed assessment proposals, so that I am now in a position to submit proposals which have been checked village by village throughout the two tahsils.

2. In paragraphs 1 and 3 of the Rawalpindi report I gave some description of the existing inam arrangements in the old Rawalpindi district, and the description given applies equally to the Fatehjang and Pindigheb tahsils. There are no hereditary inams anywhere

all the inams being tenable only for the period of settlement, which expired with rabi 1905. At the first Regular Settlement a large number of inams were given in these tahsils, in lieu of chaharam allowances enjoyed by leading zamindars under Sikh rule. At the second settlement now expired, these chaharam inams were merged into the ordinary inams, and there is now nothing but an occasional multiplicity of inams in individual families to indicate that, in their origin, some of the inams had rather a stronger basis of right than the ordinary inam which is given, not as recognising past claims, but in payment of future services. In these tahsils, as in the rest of the old Rawalpindi District, Mr. Wilson made circles for every inamdar (paragraph 3 of the Rawalpindi report) and those circles, though without legal sanction, are acted on to this day and have proved of great value to the administration of the district. One of the difficulties in the tahsils transferred to Attock, a difficulty existing in the remaining tahsils but to a far less marked extent, is that by the deliberate policy of the first and second settlement, the large jagirdars were excluded from inams, which were reserved only for men of somewhat lower position. When Mr. Wilson made circles, he naturally found it impossible to pass over men of so much local influence, and so all the large jagirdars were made honorary inamdars, and were, as such, put in charge of circles, often of very large circles. In these two tahsils here are several large owners whose position is independent of Government recognition, and whose co-operation is essential to any scheme of appointing a class intermediate between officials and the people. Such owners include the Sardar of Kot, the two Maliks of Pindigheb and the Khan of Makhad, who all enjoy large jagirs and by ownership, or by seigniorial rights, exercise great influence over large tracts of country. Mr. Wilson's scheme would have been broken down in its origin, had he not recognised the position of the large owners by always appointing them honorary inamdars of their own estates. It is certain that they would not tolerate, nor should they be asked to tolerate, the intrusion of any man of inferior rank in the exercise of authority over their sub-proprietors and tenants.

Possibly of the introduction of a zaildari agency.

3. The problem I set before myself in inspecting the villages of Fatehjang and Pindigheb was that the zaildari agency should be introduced, if possible. The problem was not an easy one, for Mr. Stow, who had inspected all the villages in Pindigheb, reported that a workable zaildari scheme was not feasible and advised the continuance of the present inam system. I have now satisfied myself that a zaildari agency can be introduced in a simple form throughout both tahsils, and that it will work easily and without friction. In order to achieve this end, I shall be compelled to propose modifications of the ordinary system, and I am compelled to urge that the modifications proposed must be accepted in their entirety, or the zaildari system will infallibly break down. The important task I have set before me is to ensure that tribal and family limits are strictly observed in the circles formed, and that the services of the leading men are utilised in all the villages in which they have hereditary rights, and active influence. Considerations of uniformity, in regard to existing models, of patwar circles and even in some cases of thana circles must give way to the necessity of utilising natural chiefs in authority over their natural subordinates. In this preliminary report it is not necessary to discuss at length the formation of circles or the appointment of individuals, but in this special case it is essential that something of the variations which I propose from ordinary models, should be clearly stated. I propose to appoint those of the large jagirdars whose position is useful, and who are ready and willing to render services to Government, to the position of zaildar and to remunerate them accordingly. In some cases circles must overlap and a single village must be in charge of two zaildars. In one case, that of the Maliks of Pindigheb, there must be two zaildars and they must have a joint circle as at present. The two branches of the family have exercised joint authority for 50 years and it would be disastrous to try to separate them now. In some cases zail boundaries cannot be continuous, and the head of a family owning a group of villages must ordinarily be in charge of the whole group, even though the villages may not lie in a ring fence. All these difficulties occur seriously only in Pindigheb, and the zail limits which I shall propose are based in the main on the arrangements already existing under Mr. Wilson's circles. Similarly with the inams, I propose a different system from that sanctioned in Rawalpindi. In all cases I shall propose to attach inams to specific zails, but I do not propose that all zails shall have inams, and in nearly all cases the inamdar can be given specific duties in charge of camping grounds and large centres of population. The number of inams proposed is determined mainly by the number of camping-grounds, and partly by the size of the zails to which they are attached, while in a still less degree the claims of individual families to recognition have to be considered. I now proceed to develop at more length my proposals for each of the two tahsils under report.

Pindigheb tahsil.

4. The Pindigheb tahsil is 1,503 square miles in area, and is not much smaller than the whole of the Rawalpindi district. It is in appearance a rough rolling barren plain, scoured by torrents and broken by sandstone spurs. Communications are everywhere bad and distances large. The tahsil includes 155 estates, of which 18 are Government forests, and there are three police stations. At last settlement there were 35 inams aggregating in value Rs. 2,050 and varying from Rs. 8 to Rs. 175. During the period since settlement

changes were very frequent, with the result that at the present day there are 24 inams of the value of Rs. 1,556. Since last settlement 3 inams have been resumed, 3 have been distributed among existing inamdars, 6 fell vacant during settlement and are under suspension pending the new arrangement, while 1 new inam was created, so that 12 inams were reduced and 1 inam added, a total decrease of 11. The wholesale reductions since last settlement have greatly facilitated the work of the Settlement Officer in proposing new arrangements now, and indeed most of the undesirables who were very numerous at last settlement, have now been weeded out. The Pindigheb tahsil differs entirely from the tahsils of Rawalpindi, in that the tribes are arranged in solid and uniform blocks. The map attached to this report shows roughly the tribal limits. The whole of the south east and centre of the tahsil is held by the Jodhra tribe; along the hills above the Indus river are the Sagri Pathans of Makhad. A solid Awan tract intervenes between the Jodhras and Pathans and runs from the south to the north of the tahsil. Last the Khattar tribe hold the north-east of the tahsil along the Attock boundary. These four tribes Jodhra, Pathan, Awan and Khattar, own the Pindigheb tahsil, and their present boundaries are the result of violent fighting during the break up of the Sikh rule. The zaildari circles must follow the same boundaries and no system would work which contemplated any fusion of tribes or alteration of natural tribal limits. It is, however, not sufficient to regard only tribal limits; the limits of family influence must be no less carefully regarded. Among the Awans and Khattars there are no leading men, for both of these tribes are only overflows from the Awan tract of Talagang and Mianwali, and from the Khattar tract of Fatehjang and Attock. Among the Pathans there is the Khan of Makhad, who owns some rights over the whole tract, but individual incapacity has destroyed the great influence which the Khan used to wield over his sturdy clansmen. In the Jodhra tract which comprises one half of the tahsil, family limits are of supreme importance and cannot possibly be neglected. Far the most important family are the Maliks of Pindigheb, who own 6 entire villages, the greater part of six other villages and have chaharam rights in 26 other villages. More than half the Johdra tract lies within their sphere of influence. Next are the Khunda family, who own 18 villages in the north-east. The Dandi family owns 10 villages, the Kamlial family 7 villages, the Langrial family 3 villages, the Khaur family of Rajputs 4 villages. Sometimes these villages are close together, sometimes they are scattered, but in nearly every case the zaildari must be kept within the family owning the estates. Indeed in the Pindigheb tahsil it is mainly these proud, contentious and powerful families of Jodhras who make it difficult to devise any zaildari system. The system I am proposing is to make the zaildari arrangements fit in with the families, and not to attempt to squeeze the families into the harsh limits of a preconceived system. It is perfectly certain that no system will work in Pindigheb which is not based on the tribal and family divisions, or which contemplates any interference of ancestral enemies with one another. With well made circles, the zaildari system will be most useful, for the tribal chiefs still have authority, and it is worth while to support them and to prevent, so far as possible, their hereditary influence from slipping away.

The following statement shows the principal tribes of the tahsil together with the percentage of land revenue paid by each :—

Tribe.	*Percentage of land revenue paid.*
Jodhra	34
Awan	24
Khattar	18
Pathan	5
Rajput Khaur	2
Sayad	2
Other Mussalmans	9
Hindus	6
Total ...	100

In the above statement it will be seen that Sayads pay 2 per cent. of the revenue, and that miscellaneous Mussalmans and Hindus pay 15 per cent. of the revenue. The latter 15 per cent. is the result of inferior proprietary rights and of alienations, but these owners are of no local influence and could not claim representation in any zaildari scheme. I propose in this tahsil 13 zails and 8 inams. I would grade the zails in three grades of Rs. 400, Rs. 150 and Rs. 200. The proposed zail allowances are not excessive and their adoption will prevent embarassment in making appointment by preventing reductions in cases where reductions would be unfair. The scale proposed is the same as that in the Rawalpindi and Gujar Khan tahsils and is less than that sanctioned in the Attock tahsil. I should have preferred to have adopted the same system and grading as in Attock, which is now in the same district as these two tahsils, but the Attock system is not possible and would cause endless feuds and troubles if introduced. Further, to maintain the number of zails which I propose, and which is the minimum which I consider possible, and to adopt the Attock scale of pay, would be

an unnecessary expense. The Talagang system, which is hampered with hereditary rights, needs no discussion, for no one would propose the introduction of such a system except under the compulsion which hereditary rights have imposed. I propose that the inams should be of a uniform value of Rs. 50. The number of inams bears no relation to the number of zails, but is fixed with reference to the needs of individual zails, which must vary largely in size. The actual distribution of inams among zails can be left for consideration when the final proposals are submitted, but I would ask that the inams once assigned to a particular zail, shall be tenable only in that zail during the term of settlement.

The distribution which I propose is, as follows :—

Zails.	Rs.
2 1st grade at Rs. 200	400
4 2nd grade at Rs. 150	600
7 3rd grade at Rs. 100	700
Total ...	1,700
8 inams at Rs. 50	400
Total ...	3,100

The average number of estates in each zail is 12, and the average area of each proposed zail is no less than 116 square miles.

Fatahjang tahsil.

5. The Fatehjang tahsil is 834 square miles in extent and comprises 210 estates, of which 5 are Government forests and has 2 police stations. The tahsil is divided into three parts by natural boundaries, which agree with the three assessment circles. The Nala Assessment Circle is divided from the rest of the tahsil by the Kala Chitta range of hills, while the Khatri Murat ridge separates the Sil-Soan Assessment Circle from the tract to the north. The Gheb circle lies between the two ridges. Between each range of hills communications are fairly good, but the ranges themselves are passable only with difficulty and inter-communication is always troublesome. The Nala and Gheb circles are owned almost entirely by two tribes—see the map attached. The Khattar tribe own the whole of the Nala circle and the north and east of the Gheb circle. The rest of the Gheb circle being about two-thirds of the whole circle, is owned by the Gheb tribe. These two tribes are old enemies and faction feeling is still strong between them. The Sil-Soan circle is owned by Alpials and Awans, who are mainly self-cultivating and who have more in common with the tribes of the Rawalpindi district than with the non-cultivating sporting tribes who own most of the rest of the two tahsils. The division into families is not so marked among the Khattars and Ghebas of Fatehjang, as among the Jodhras of Pindigheb. The Sardar of Kot holds a commanding position in the west of the tahsil, owning 13 entire villages, about two-thirds of 8 other villages and shares in several more. He holds large jagirs, but is not an inamdar, although he has charge of a large circle under Mr. Wilson's arrangements. This estate is now under the Court of Wards. There is no other family with a commanding right to recognition, though the Ghebas of Malal and Majhia and the Khattar of Dhrek also hold strong hereditary positions, which were however recognised at last settlement by the gift of one or more inams to each family.

The principal tribes with the land revenue paid by each are shown in the table below :—

Tribe.	*Percentage of land revenue paid.* Rs.
Gheba	19
Khattar	17
Miscellaneous Rajput	14
Awan	15
Alpial	17
Gujar	6
Sayad	3
Other Mussalmans	4
Hindus	5
Total	100

It will be noticed that the ownership is not so simple as in Pindigheb, and indeed in the extreme east of the Gheb circle, and throughout the Sil-Soan circle the ownership is a good deal mixed.

At last settlement there was 38 inams in this tahsil of an aggregate value of Rs. 1,965, and varying in size from Rs. 20 to Rs. 200 per annum. Since settlement 6 of these inams have been resumed on the death of the holders as the result of arrangements sanctioned at settlement, and 2 are under suspension as the holders died during settlement. There are now 30 inams of the value of Rs. 1,625. I propose to grade the zails as in Pindigheb and to attach the same value to them. The number of zails in each grade must largely be determined by personal and historical considerations which are also the foundation of the Pindigheb proposals. I propose 12 zails and 10 inams, and propose to grade them as follows :—

	Rs.
3 1st grade at Rs. 200	600
4 2nd grade at Rs. 150	600
5 3rd grade at Rs. 100	500
Total	1,700
10 inams at Rs. 50	500
Total	2,200

As regards inams I propose to attach one inam to each zail in the Sil-Soan, and whenever possible to each other zail. There would be, however, some zails to which it would be unnecessary to attach inams and for this reason I propose fewer inams than zails. The number of zails is susceptible of very little alteration, if full regard is to be paid to tribal and family susceptibilities but some of the zails will be too small, or too peculiar in their circumstances to make an inamdar also necessary. Under the proposed arrangements there would be 17 estates in each zail, and the average area of each circle would be 80 square miles.

Summary of proposals.

6. The present propsals are summarised in the table below :—

Tahsil.	Number of zails.	Value of zail allowances.	Number of inams.	Value of inam allowances.	Total cost of zails and inams.
		Rs.		Rs.	Rs.
Pindigheb	13	1,700	8	400	2,100
Fatehjang	12	1,700	10	500	2,200

The total value of the inams granted at last settlement in each tahsil together with the land revenue demand and the percentage of the value of the inams on the land revenue is shown below :—

Tahsil.	Inams.	Land revenue.	Percentage.
	Rs.	Rs.	
Pindigheb	2,050	1,14,593	1·8
Fatehjang	1,965	1,56,738	1·3
Total	4,015	2,71,331	1·

In the corresponding statement below the financial results of the new proposals are shown as compared with the estimated future land revenue, the latter estimate being taken from the assessment report of these two tahsils, which has been submitted :—

Tahsil.	Estimated future land revenue.	Percentage on estimated land revenue of cost of proposed		
		Zails.	Inams.	Zails and inams.
	Rs.			
Pindigheb	1,20,000	1·42	·33	1·75
Fatehjang	1,85,000	·92	·27	1·19
Total	3,05,000	1·1	·3	1·4

The usual allowance is 1 per cent. of the land revenue for zails and ¼ per cent. for inams. In the proposals for the Pindigheb tahsil this allowance is largely exceeded, while there is some surplus from the Fatehjang proposals. It will however be noticed that in both tahsils the percentage of the land revenue is considerably less than at last settlement, while the cost of the proposed zaildari scheme in Pindigheb only exceeds by Rs. 50, the cost of the inams of last settlement. It must also be remembered that the present scheme contemplates the grant to the large jagirdars of zaildari allowances for doing work which, under Mr. Wilson's circle system, is performed by them without payment.

The above proposals if sanctioned, should come into effect from kharif 1906, from which date it is to be hoped that the new revenue demand will be collected. All appointments made under this scheme should be for the term of the next settlement.

Resumed inams.

7. In the orders on the Rawalpindi scheme, a sum of Rs. 500 per annum was sanctioned provisionally to compensate existing inamdars who failed to retain their inams under the new scheme. Here again, I would ask that existing inamdars should be treated generously and I do not anticipate that the cost of compensating those who lose their inams would exceed Rs. 200 per annum in the first instance, and that sum would, of course, continuously decrease as the holders died.

Conclusions.

8. The following are the points needing orders :—

(*i*) The introduction of the zaildari system.

(*ii*) The number of zails and the grading of zaildari allowances.

(*iii*) The introduction of the scheme from kharif 1906.

(*iv*) The compensation of existing inamdars brought under reduction.

(*v*) The proposals to make inams tenable only in the zail to which they are originally attached.

(*vi*) The proposals that appointments should be only for the term of settlement.

No. 48 (Rev.-Rev.), dated Lahore, 14th February 1907.

From—A. B. Kettlewell, Esquire, Offg. Chief Secretary to Government, Punjab,

To—The Senior Secretary to the Financial Commissioner, Punjab.

I am directed to acknowledge the receipt of your letter No. 956, dated 21st December 1906, on the subject of the introduction of the zaildari system into the Fatehjang and Pindigheb tahsils of the Attock district, and in reply to communicate the following orders.

2. Under Land Revenue Rule 165 (1) the Lieutenant-Governor sanctions the introduction of the system into the tahsils in question on the lines proposed by Mr. Kitchin in his report dated 27th July 1906, which formed an enclosure of your letter.

3. With reference to Land Revenue Rule 171 (*ii*) 1·06 per cent. is fixed as the percentage of the land revenue to be appropriated for the remuneration of zaildars subject to any modification which may be found necessary when the assessment of the tahsils is finally settled. The fund referred to in Land Revenue Rule 171 (*iii*) will be treated as common to both tahsils, but the grading will be by tahsils separately.

4. As to the amount of the inams, I am to say that the Lieutenant-Governor accepts the Financial Commissioner's proposal as contained in paragraph 4 of your letter.

5. With regard to the question of compensation referred to in paragraph 6, I am to say that His Honour agrees that existing inamdars who lose their inams should receive compensation and retain their titles for life, and to add that the amount of compensation awarded should in each case be settled by the Financial Commissioner, provided the annual amount does not exceed Rs. 250.

6. The proposals of the Financial Commissioner as set forth in paragraph 7 of your letter are agreed to.

7. The draft notification forwarded with your letter will be published in the *Punjab Government Gazette* of the 14th instant.

No. 188, dated Lahore, 16th March 1909.

From—E. R. Abbott, Esquire, Senior Secretary to the Financial Commissioner, Punjab,

To—The Secretary to Government, Punjab.

With reference to the correspondence ending with Mr. Kettlewell's letter No. 48 Revenue, dated 14th February 1907, on the subject of the zaildari and inamdari arrangements in the Fatehjang and Pindigheb tahsils of Attock district, I am directed to forward a copy of letter No. 1315 from the Commissioner, Rawalpindi, dated 20th May 1908, together with a copy of the enclosures, in which sanction is asked for to a modification of the scheme introduced by Mr. Kitchin.

3. In paragraph 5 of Mr. Leslie Jones' letter No. 956, dated 21st December 1906, it was explained that the Financial Commissioner would prefer to leave for further consideration the question of modifying Mr. Kitchin's scheme in the manner now proposed, should any necessity to alter the arrangements then made actually arise. From the absence of any reference to the point in the orders issued it appears that this course was approved by Government.

3. Before forwarding the present case the Financial Commissioner suggested to the Commissioner, Rawalpindi, the advisability of adding to Land Revenue Rule 173 (*i*) a proviso giving Deputy Commissioners the power generally, subject to the sanction of the Commissioner, of conferring vacant inams, without reference to zail limits, but in the same tahsil. Mr. Douie has pointed out that there is a danger in making the field of selection too wide, in that the relaxation of the rules would open the door to "sifarish": and that there is no class of case which is so open to the practice as inam and zaildari cases. At the same time it is in general hardly possible that there should be a zail in which there is not at least one village headman of character who, though possibly inconspicuous at the time, would soon acquire the necessary status and influence after appointment.

4. The case of Attock, however, is peculiar; because there is not even one inam per zail: and because the criminal administration is so difficult that the Deputy Commissioner there should have special power to reward good work. Sir James Wilson accordingly agreed with Mr. Douie in recommending that (1) in the Fatehjang and Pindigheb tahsils and (2) in the Attock tahsil (the inamdari arrangements for which were sanctioned in Mr. Kettlewell's letter No. 48, dated 14th February 1907, and in Mr. Diack's letter No 3, dated 4th January 1905, respectively), when an inam attached to any particu-

larzail falls vacant, the Deputy Commissioner may be empowered to appoint a successor (with the previous sanction of the Commissioner) from a zail to which the late inamdar did not belong, but within the same tahsil.

5. Strictly speaking, the Land Revenue Rules should be altered by a proviso applicable only to these tahsils, but this seemed to Sir James Wilson to be hardly necessary.

6. The case has been delayed pending a reply from the Commissioner of Rawalpindi on a subsidiary point.

No. 1315, dated 20th May 1908.

From—J. M. Douie, Esquire, C.S.I., Commissioner, Rawalpindi division,

To—The Senior Secretary to the Financial Commissioner, Punjab.

I HAVE the honour to submit for the orders of the Financial Commissioner copy of the correspondence noted in the margin as to inams in the Pindigheb and Fatehjang tahsils of the Attock district.

2. I invite attention to the passages dealing with inams at the end of paragraphs 3 and 4 of Mr. Kitchin's report on the introduction of the zaildari system, of which a copy was submitted with Mr. Fenton's No. 1719, dated 15th June 1906, to the address of the Settlement Commissioner. It is quite clear that it was Mr. Kitchin's original intention that inams once attached to a particular zail should remain attached to it for the term of settlement. There were 18 inams to 25 zails. In one zail there were 2 inamdars, while in 8 there were none. In the 5th paragraph of your predecessor's No. 956, dated 21st December 1906, to the address of the Chief Secretary to the Punjab Government, a doubt was expressed whether the arrangement by which inams were to remain attached to particular zails was suitable to the local circumstances.

3. Obviously the Deputy Commissioner considers that they are not suitable. He represents that two inamdars of tahsil Fatehjang, who have recenly died, were nonentities, and that there are no persons suitable for appointment in the zails to which these inams were attached. He wishes to transfer the inams to landowners of other zails, and to be given similar power as regards inams falling vacant in future. Considering that 8 of the zails have already no inamdars belonging to them I see no objection to giving the Deputy Commissioner the power for which he asks, but it should be a condition that, in any case in which he proposes to appoint an inamdar from a zail to which the late inamdar did not belong, he must before doing so obtain the Commissioner's sanction.

No. 136, dated 10th January 1908.

From—B. N. Bosworth Smith, Esquire, Deputy Commissioner, Attock,

To—The Commissioner, Rawalpindi division.

I HAVE the honour to state that the two inamkhors of Raika Maira and Bhal in Fatehjang tahsil have died.

Their inams, Rs. 45 in each case, were sanctioned by letter No. 48, paragraph 5, of February 14th, 1907, and the tenure of these inams was sanctioned till next settlement.

2. There are no special reasons which make the presence of an inamkhor in either of these zails necessary or desirable.

There are certain important places in the tahsil as, for example, at Fatehjang itself and at Kutbal, both of which have encamping-grounds where assistance is regularly required, and I would accordingly request sanction to appoint successors to these inamdars outside their respective zail limits.

No. 142, dated 16th January 1908.

From—J. M. Douie, Esquire, C.S.I., Commissioner, Rawalpindi division,

To—The Deputy Commissioner, Attock.

WITH reference to your No. 136 G., dated 10th January, 1908 in which you propose that the inams recently held by landowners in Raika Maira and Bhal in Fatehjang should cease to be attached to the zails in which these estates are situated, I have the honour to invite your attention to the passages dealing with this subject in paragraphs 3, 4, and 5 of Mr. Kitchin's report, forwarded with your No. 2021 G., dated 9th June 1906,

and to paragraph 5 of a letter No. 956, dated 21st December 1906, from the Senior Secretary to the Financial Commissioner, of which a copy was sent to you with my endorsement No. 670, dated 16th March 1907.

2. The arrangement you now propose to set aside was an integral part of Mr. Kitchin's scheme, but the Financial Commissioner seems to have thought that it might require modification. I shall feel obliged if you will forward for my inspection appendix A to the report of the Settlement Officer sent with your No. 1031 G., dated 22nd March 1907. This was returned to your office with my endorsement No. 1205, dated 16th May 1907.

3. You should at the same time say whether your proposed modification of the scheme refers merely to the 2 inams mentioned in your letter. If so, to what zails do you propose to attach these inams for the future.

No. 1902 G., dated 14th May 1908.

From—B. N. Bosworth-Smith, Esquire, Deputy Commissioner, Attock,

To—The Commissioner, Rawalpindi division.

In reply to your No. 142 of 16th January 1908, paragraph 2, I have the honour to forward a copy of appendix A as asked for.

2. I venture to think that the attachment of inams to specific zails was merely a matter of convenience as certain old claimants who had hereditary rights had to be provided for in Mr. Kitchin's zaildari scheme, which I had the advantage several times of discussing with him, and the final appointments of which were made by us jointly.

3. It was a mere accident that these two inamkhors were then living in the zails, and that these inams were considered as belonging to the zails. The deceased grantees were lo cal nonentities, and it is surely a sound principle to follow that without work there should be no remuneration, and that where work is constantly demanded such as is of necessity the case at the head-quarters of a tahsil or on a regular distant camping-ground such services should be rewarded. The Financial Commissioner in sanctioning the zaildari scheme mentioned that it might be found later necessary to give the Deputy Commissioner the power of selection within tahsils and to exempt him from the restrictions of Land Revenue Rule 166. On these first occasions of new appointments the difficulty has at once made itself felt.

4. There are no suitable persons within zail limits for the honour, nor is there any necessity for such appointments, in addition to the zaildars who are fully capable of doing all that is required. The need of such inamkhors has now made itself markedly felt in other places of the zail. I would now ask—

(1) that in these particular cases I may be allowed to appoint during the currency of the present settlement two inamdars in the tahsil without reference to zail limits, and

(2) that a general rule be passed that vacancies in any other inams attached to zails may be given by the Deputy Commissioner to any lambardar in the tahsil subject of course to the ordinary procedure of appeal.

No. 130 (Rev. & Agrl.—Rev.), dated Lahore, 3rd April 1909.

From—W. S. Hamilton, Esquire, offg. Secretary to Government, Punjab,

To—The Senior Secretary to the Financial Commissioner, Punjab.

In reply to your letter No. 188, dated the 16th of March 1909, I am directed to say that the Lieutenant-Governor accepts the recommendation of Sir James Wilson contained in paragraph 4 of your letter, *viz.*, that (1) in the Fatehjang and Pindigheb tahsils and (2) in the Attock tahsil of the Attock district (the inamdari arrangements in which were sanctioned in Punjab Government letters Nos. 48 and 3, dated the 14th of February 1907 and 4th January 1905, respectively), when an inam attached to any particular zail falls vacant, the Deputy Commissioner should be empowered to appoint a successor, with the previous sanction of the Commissioner, from a zail to which the late inamdar did not belong, but within the same tahsil.

Rules for Alluvion and Diluvion Assessments in the Rawalpindi Tahsil of the Rawalpindi District and in the the Fatehjang Tahsil of the Attock District.

No. 2, dated Lahore, 3rd January 1907.

From—L. H. Leslie Jones, Esquire, Senior Secretary to the Financial Commissioner, Punjab,

To—The offg. Chief Secretary to Government, Punjab.

I am directed to forward a letter No. 4049, dated 8th September 1906, with enclosures, from the Settlement Commissioner, on the subject of alluvion and diluvion assessments in the Rawalpindi district and in the Fatehjang and Pindigheb tahsils of the Attock district, and to convey the following remarks.

2. The Financial Commissioner agrees that rules are only required in the case of the Soan torrent in the Rawalpindi tahsil and the Sil and Soan torrents in the Fatehjang tahsil; accordingly these only will be discussed.

3. It was, I am to say, by no means clear to the Financial Commissioner from Mr. Douie's letter and enclosures exactly what rules were proposed for acceptance. A draft of the rules which he was understood to recommend was accordingly prepared in this office (the rules being reshaped where this seemed necessary) and sent to the Settlement Commissioner with the enquiry whether he agreed to the Financial Commissioner's draft. In reply Mr. Douie forwarded a draft of the two sets of rules, which contains a number of small modifications of the Financial Commissioner's draft, all of which are improvements. The Settlement Commissioner's draft, of which I am to enclose a copy, is therefore accepted as it stands by the Financial Commissioner, but he does not think that it would help Government in any way to forward this later correspondence.

4. It seems to the Financial Commissioner only necessary to add that rule III of the rules proposed for the Rawalpindi tahsil is really rather a rule of procedure than of assessment. But the intention is that the general procedure rules of the Rawalpindi division, *vide* pages 84-9 of Financial Commissioner's Selections, new series, No. 19, should apply to the preparation of the files and to the system of remeasurement in the case of both the Rawalpindi and the Fatehjang tahsils, and the provision that yearly assessments will not ordinarily be required in the former tahsil may, the Financial Commissioner thinks, suitably be included in the special rules now proposed.

No. 4049, dated Lahore, 8th September 1906,

From—The Hon'ble Mr. J. M. Douie, C.S.I., Settlement Commissioner, Punjab,

To—The Senior Secretary to the Financial Commissioner, Punjab.

I have the honour to submit for orders the correspondence noted in the margin on the subject of alluvion and diluvion assessments in the Rawalpindi district and tahsils Fatehjang and Pindigheb of the Attock district. I agree with Mr. Kitchin that such assessments are only required on the Soan torrent in Rawalpindi tahsil and the Sil and Soan torrents in Fatehjang.

Settlement Officer Rawalpindi's No. 931, dated 18th June 1906.
Settlement Commissioner's No. 2370, dated 5th July 1906.
Settlement Officer Rawalpindi's No. 1314, dated 22nd August 1906.

2. Annual measurements are not necessary in the case of the lands bordering on the Soan torrent in the Rawalpindi tahsil. It will be quite enough if cases are ordinarily taken up only every 4th year, when the detailed jamabandi of an estate is drawn up. In this connection the Financial Commissioner will wish to refer to the figures in appendix I to Mr. Kitchin's first letter. I think, however, the first rule had better agree exactly with rule 2 of the rules sanctioned for estates on the Aik, Degh and Basantar torrents in Sialkot and Gujrat by Punjab Government No. 194, dated 24th March 1894. That is the rule in force in Gurdaspur, Ambala, Karnal and on the Soan torrent in the Talagang tahsil of Attock. It is possible that, though the injury to a village as a whole is small, the loss to one or more holdings may be large, and this might be overlooked if quadrennial measurements were not made as a matter of course. I would therefore omit the second sentence of rule 1. In the 3rd sentence I would add after "a list of estates" the words "not coming under quadrennial attestation." The extra work involved is small. Mr. Kitchin, who has seen the draft of this letter, agrees. I approve of rule 2, and I do not think any special rule is required here for land which "has been materially injured by the action of a torrent, but is still capable of cultivation" (Jhelum district rule 16 in Revenue Proceeding No. 65 of October 1900). Rule 3 as drafted by Mr. Kitchin is rather obscure. In the Rawalpindi tahsil sailab and maira are assessed at the same rate, the circle rate proposed by Mr. Kitchin being Re. 1-2-0 per acre. The circle rate on rakar is 6 annas. Mr. Kitchin's meaning is that the land should be assessed at the full village bachh rate of the class (sailab, maira, rakar, &c.) to which it belongs. In the first sentence of the rule for "land of that class" I would substitute "land of the class to which it belongs."

3. The reasons given in paragraph 3 of Mr. Kitchin's No. 1314, dated 22nd August 1906, for having annual measurements on the Soan in Fatehjang are sufficient. The five rules proposed by Mr. Kitchin follow generally rules 1, 3, 4, 5 and 6 of the rules for the Chenab and Jhelum in Sialkot, Gujrat, Gujranwala and Shahpur sanctioned by Punjab Government No. 184, dated 10th October 1893. Rule 2 of these rules is not required in Fatehjang. Mr. Kitchin's second rule provides that the assessment rate shall either continue to be paid or be remitted altogether. In this respect it differs from

Chenab and Jhelum rule 3. I would accept Mr. Kitchin's rule as it stands except that for "remitted for diluvion" I would substitute "remitted for diluvion or sand drift." If rule II is accepted, rule III must be amended by substituting for the words "reduced for deterioration" the single word "remitted." Mr. Kitchin agrees to the changes proposed in the rules for the Sil and Soan torrents in Fatehjang.

No. 931, dated 18th June 1906.

From—A. J. W. KITCHIN, Esquire, C.S., Settlement Officer, Rawalpindi,

To—The Settlement Commissioner, Punjab.

I HAVE the honour to report as to the future treatment of alluvion and diluvion in the tahsils under settlement. At present the only estates under alluvion and diluvion rules are those bordering on the Soan and Sil torrents in the Fatehjang tahsil. The work is done under the diluvion-alluvion rules published with Financial Commissioner's letter No. 4372,* dated 9th August 1895, and are applicable to the whole of the Rawalpindi division, except to the Jhelum district for which special rules were sanctioned at settlement. The diluvion-alluvion work is very light, the rules are simple and are understood by both officials and people and I would propose to leave them unaltered.

* Page 84 of the Volume of Financial Commissioner's Selections.

2. In no other part of the tahsils under settlement are there any diluvion-alluvion rules, but the whole tract is seamed and scoured with torrents, large and small. The Soan runs through the Rawalpindi tahsil before it enters Fatehjang and after leaving Fatehjang separates Pindigheb from Chakwal and Talagang. The Wadala rises in Rawalpindi, and passing through Fatehjang joins the Soan on the Pindigheb border. The Kanshi torrent bisects the Gujar Khan tahsil. All these torrents do harm at times, but no remission of revenue is given for any land washed away by them. All of them are rather destructive than beneficial in their direct action on the land. I have discussed the question freely with officials and with zamindars, and the general feeling of the latter is that they do not want present arrangements altered and inquisitorial measurements made at frequent intervals. Further, the sanction of rules for the remission of assessment on wells going out of cultivation has made it possible to give relief in the very hard case, by no means unknown, of a well being washed away.

3. I attach lists showing by villages the area of cultivated land destroyed and rendered culturable by river action since last settlement on the Soan in tahsil Rawalpindi and on the Wadala in tahsils Gujar Khan and Fatehjang. The case of the Kanshi in Gujar Khan is of no importance, and needs no further attention, while the Soan touches the Pindigheb tahsil only in a few places and does little damage, so that the people do not want any interference with their fixed assessment. It will be seen from the attached statements that the Wadala does but little damage. The stream carries very little water, and most of the damage done is the result of drifting sand. In only two villages has any sensible injury to culturable land been done, and in the Rawalpindi village there is no more land to be destroyed, while in the Fatehjang village remission of assessment in the present settlement and subsequent relief to destroyed wells will be all the help needed.

4. There remains to be considered the case of the villages on the Soan in tahsil Rawalpindi,—*vide* appendix I attached. Here I think relief is needed. In the Rawalpindi district there is at present no diluvion-alluvion work whatever, and I am loth to introduce a system which gives so much trouble to the revenue staff, and especially to the superior revenue officials. However, the fact remains that some villages have suffered heavily of late years and are likely to continue to suffer as the Soan is changing its course. The people ask for remissions on lands washed away, and in my opinion they are entitled to have it. I have therefore drafted very simple rules for these villages, which I now submit for sanction,—appendix III. They are based on the rules sanctioned for the torrent of the Jhelum district.* I think it, however, better not to attach a list of villages, as any serious change in the course of the Soan, which is even probable at present, would bring villages inside its influence which are at present safe from injury.

* A file No. 39 of October 1900 $\frac{\text{R. \& A.}}{\text{R.}}$

It will be noticed that I do not propose to have measurements even at quadrennial attestation unless a special report is submitted by the Tahsildar. Further, I propose to levy only the full assessment rate on any newly cultivated land, for the land newly thrown up is too trifling in area to make it desirable to levy half rates in any case. Land assessed at half rates must be measured up at frequent intervals and gives as much trouble to the revenue administration as though it had been washed away. My idea is to reduce the routine work to a minimum, only giving to the Collector power to redress cases of real hardship, which have occurred in a few Soan villages in the past and as regards which he is at present almost helpless.

Orders are also required on the proposals contained in paragraph 1 above.

APPENDIX I.

List of villages adjoining the Soan Kas in the Rawalpindi tahsil.

1	2	3	4	5	6
No.	Names of villages.	Area carried away by river action after settlement.	Area brought up by river action after settlement.	Assessments remitted on deteriorated lands.	REMARKS.
1	Dhalla	68	6	...	
2	Adiala	55	75	...	
3	Gangal	16	28	...	
4	Nakrali	43	36	...	
5	Dera	18	1	...	
6	Gorakhpur	32	21	...	
7	Gali	9	17	...	
8	Budial	...	8	...	
9	Chhawrian	1	3	...	
10	Sud	...	3	...	
11	Dhapai	...	9	...	
12	Thatta Gidpur	7	...	...	
13	Jabbar Miana	1	...	...	
14	Niazian	5	...	...	
15	Humak	3	3	...	
16	Bawla Kaniat	1	4	...	
17	Mian Ahmada	5	4	...	
18	Kah-a-Bajar	1	7	...	
19	Dahgal	2	3	...	
20	Shahpur	3	4	...	

APPENDIX II.

List of villages adjoining the Wadala Kas in the Rawalpindi and Fatehjang tahsils.

1	2	3	4	5	6
No.	Names of villages.	Area carried away by river action after settlement.	Area brought up by river action after settlement.	Assessment remitted on deteriorated lands.	REMARKS.
	Tahsil Rawalpindi.				
1	Bhadana Gujran	25	24	...	
2	Samlal	1	21	...	
3	Khadirpur	4	3	...	
4	Mari Danishmandan	2	1	...	
5	Mohra Hans	1	2	...	
6	Mal Janjal	5	3	...	
7	Gorsi	4		...	
8	Rala	1	...	...	
9	Banda	1	1	...	
10	Takhti	...	... 1	...	
11	Kuri Maliaram...	...	1	...	
	Tahsil Fatehjang.				
1	Kurar	28	...	44	
2	Mial	10	9	9	
3	Brial	2	1	2	
4	Jara	...	4	...	
5	Banian	...	11	...	
6	Morjhang	...	2	...	
7	Rupar Kalan	9	...	10	
8	Gagan	...	28	...	
9	Khabbar Barala	1	3	1	
10	Taila Bajar	4	...	4	
11	Mahmuda	2	...	2	

Rules applicable to villages affected by the Soan river in tahsil Rawalpindi.

1. In these villages measurements will ordinarily be made only in the year when the quadrennial attestation of the village takes place, provided that the Collector may order that the lands in any estate be measured and assessed in any other year, if changes have occurred in the estate, or in individual holdings, of sufficient importance to render this course desirable. Even at quardrennial attestation measurements will not be made as a matter of course, but only if changes of sufficient importance have taken place. Early in October the Tahsildar will send to the Collector a list of estates in which he proposes to make measurements, explaining the reasons for his proposals. The Collector will return the list with his orders thereon to the Tahsildar.

2. When by the action of the Soan, land assessed as cultivated is carried away or rendered unfit for cultivation, the assessment thereon shall be remitted.

3. Land which was uncultivated at settlement, but has since become culturable owing to the action of the Soan, shall be assessed at the full village assessment rate of land of that class. If the land is too inferior to be assessed at the village assessment rate of at least the lowest class, it will be left unassessed until next measurement. No rates of assessment will be imposed unless the land is actually cultivated.

No. 2370, dated Lahore, 5th July 1906.

From—The Hon'ble Mr. J. M. Douie, C.S.I., Settlement Commissioner, Punjab,

To—The Offg. Settlement Officer, Rawalpindi.

I have the honour to acknowledge the receipt of your No. 931, dated 18th June 1906, regarding alluvion and diluvion assessments in the Rawalpindi district and tahsils Fatehjang and Pindigheb of Attock.

2. There seems to be some confusion in your letter between rules of assessment and rules of procedure. The latter deal with the measurements to be made and the papers to be drawn up in connection with the assessments. You state that on the Sil and Soan the rules in force are those approved for the whole of the Rawalpindi division by Financial Commissioner's No. 4372,* dated 9th August 1895. The rules to which you refer are rules of procedure, and they form the complement of the rules of assessment sanctioned for the Rawalpindi division by Punjab Government No. 184, dated 10th October 1893 (Chenab and Jhelum), and for lands subject to the action of hill torrents in Sialkot and Gujrat (Punjab Government No. 194, dated 24th March 1894). The rules approved by Punjab Government No. 184, dated 10th October 1893, properly speaking, only applied to the four districts of Gujrat, Sialkot, Gujranwala and Shahpur then under assessment. I shall be glad to know what rules of assessment have been followed in Fatehjang, and especially whether village rates have been followed in remitting and assessing revenue, or whether there have been any maximum circle rates as in the rules sanctioned by Punjab Government No. 184, dated 10th October 1893. Do you consider that yearly measurements and assessments are really required in the case of estates on the Sil and Soan rivers in Fatehjang? They are dispensed with in Talagang.

* Page 84 of the Volume of Financial Commissioner's Selections.

3. The assessment rules applicable to the Soan river in Talagang are given in appendix C of Mr. Talbot's Settlement Report of the Jhelum district. There would be a certain convenience in having the same rules applicable to lands affected by the Soan throughout the Attock district. There might be objections to changing the Talagang rules during the currency of the present settlement of that tahsil. You should consider whether they might not be applied as they stand to Fatehjang and Pindigheb.

4. In his Settlement Report of Attock Mr. Butler does not refer to alluvion and diluvion. I shall be obliged if you will ascertain from the Deputy Commissioner of Attock—

(*a*) on what rivers and torrents alluvion and diluvion assessments are made;

(*b*) what assessment rules are in force;

(*c*) what rules of procedure are in force as to measurements of loss and gain, &c.

No. 1314, dated 22nd August 1906.

From—A. J. W. Kitchin, Esquire, C.S., Settlement Officer, Rawalpindi,

To—The Settlement Commissioner, Punjab.

Delay in reply to your letter No. 2370, dated 5th July 1906, has been caused by the necessity of a reference to the Deputy Commissioner, Attock, and by delay in the

receipt of a reply. I am now informed by the Deputy Commissioner, Attock, that there are no alluvial and diluvial rules at all in the Attock tahsil, and that no diluvial remissions are given either on the Indus or Haro rivers. Presumably Mr. Butler was of opinion that a fixed assessment gave no trouble, and that elasticity was not required now any more than in former settlements.

2. As regards your objection that the rules now in force on the Sil and Soan torrents are only rules of procedure and are not rules of assessment, I must admit that I was wrong to have proposed to perpetuate that anomaly. I did not, in fact, know that assessment rules supplementary to these rules were in force in other districts. In Rawalpindi these are the only rules, and there are no others. In actual practice the sailab bachh rate of each village has been followed in assessing and remitting land revenue. I went into this question at length on the spot last cold weather, for I had noticed that the rules in force prescribed no assessment rates, and I found that the village sailab bachh rate was almost invariably the circle sailab rate, *vizes.*, Rs. 1-4-0 per acre. This was probably arranged on purpose at last settlement. It had been my intention to follow the same principle, and to prescribe the proposed new circle sailab rate, *viz.*, Rs. 1-8-0, as the village bachh rate in every village. I ought, however, to have made this part of my scheme submitted for sanction.

3. I did consider the subject of extending Mr. Talbot's rules, referred to by you in paragraph 3 of your letter under reply, to the Sil and Soan in Fatehjang. I had enquiries made by the Settlement Tahsildar and by the Extra Assistant Settlement Officer, and when they reported in favour of the existing system, I made enquiries myself. The Soan generally runs between pebble ridges. Only in the Fatehjang tahsil has the Soan a broad alluvial, loamy bed. East and west of this tahsil the hills close in and the river does not do much damage. In the Fatehjang tahsil yearly measurements are unfortunately necessary, and the people, who are quite small zamindars, insist on yearly measurements as in former settlements. I have proposed to continue the present system, only because I deemed it, and still deem it, inevitable to have some annual system of measurements.

8. I now add, as a supplement to my former letter, the following proposed simple rules for assessment on the Sil and Soan torrents in Fatehjang. They are based on the Chenab and Jhelum river rules to which you have referred me, but I have tried to simplify them and to cut out all that does not apply to the small alluvial areas along these two streams.

Proposed rules.

I. When, by action of the Sil or Soan streams in the Fatehjang tahsil, land assessed as cultivated is carried away or rendered unfit for cultivation, the assessment charged on it shall be remitted.

II. Land which was assessed at settlement as cultivated shall continue to pay the revenue at which it was then assessed, unless and until its assessment is remitted for diluvion. Thereafter it shall be treated as new land.

III. New cultivated land added by alluvion, and land cultivated at settlement which has had its revenue remitted for deterioration and which has again become cultivated, shall ordinarily be assessed at the maximum rate of Rs. 1-8-0 per acre (or the sailab circle rate which may be sanctioned by Government) when growing first class crops and at half that rate when growing inferior crops :—

(1) First class crops are—

Sugarcane.

Maize.

Cotton.

Wheat.

Vegetables (other than fodder).

Tobacco.

(2) Second class crops are other crops.

IV. No assessment shall be imposed on sown crops which are likely to return less than the seed sown, and if the outturn is likely to be very poor, *e.g.*, not more than twice the seed sown, half the rate due under rule III shall be imposed.

V. Land which under the above rule has been assessed at less than the maximum rate shall, in subsequent years, be assessed at the maximum rate so soon as the class and character of the crop shall justify such imposition.

Rules of assessment applicable to estates bordering on the Soan torrent in the Rawalpindi tahsil.

I. When, by the action of the Soan torrent, land assessed as cultivated is carried away or rendered unfit for cultivation, the assessment shall be remitted.

II. Land which was unassessed at settlement, or the assessment of which has since been remitted under rule I, shall, if it becomes culturable owing to the action of the Soan torrent, ordinarily be assessed at the full village rate of land of the class to which it belongs, but it may be assessed at the rate of other or lower classes if it is of inferior quality. If it is too inferior to bear the full assessment of any class, it will be left unassessed until it becomes fit for assessment. No assessment will be imposed on land which has not actually been cultivated.

III. Remeasurements for the purpose of ascertaining whether assessments should be remitted or imposed under rules I and II will ordinarily be made in an estate only in the cold weather preceding the quadrennial attestation of the jamabandi.

But if the Tahsildar is of opinion that measurements for this purpose should be undertaken in any estates not coming under quadrennial attestation, he will send to the Collector a list of such estates, explaining the grounds of his proposal. The Collector will return the list with his order to the Tahsildar.

Rules of assessment applicable to estates subject to the action of the Sil and Soan torrents in the Fatehjang tahsil.

I. When, by action of the Sil or Soan torrents in the Fatehjang tahsil, land assessed as cultivated is carried away or is rendered unfit for cultivation by sand drift, the assessment thereon shall be remitted.

II. Land which was assessed at settlement as cultivated shall continue to pay the revenue at which it was then assessed, unless and until its assessment is remitted under rule I.

III. New cultivated land added by alluvion, and land cultivated at settlement which has had its revenue remitted under rule I and which has again become cultivated, shall ordinarily be assessed at the sailab circle rate of Re. 1-8-0 per acre when growing first class crops, and at half that rate when growing inferior crops :—

(1) *First* class crops are—

Sugarcane.
Maze.
Cotton.
Wheat.
Vegetables (other than fodder).
Tobacco.

(2) Second class crops are all other crops.

IV. No assessment shall be imposed on sown crops which are likely to return less than the seed sown, and if the outturn is likely to be very poor, *e.g.*, not more than twice the seed sown, half the rate due under rule III shall be imposed for that year.

V. Land which under rule IV has been assessed at less than the saliab circle rate shall in subsequent years be assessed at the full rate so soon as the class and character of the crop shall justify such imposition.

No. 58 (Rev. & Agri.—Rev.) dated Lahore, 19th February 1907.

From—A. B. KETTLEWELL, Esquire, offg. Chief Secretary to Government, Punjab,

To—The Senior Secretary to the Financial Commissioner, Punjab.

I AM directed to acknowledge the receipt of Mr. Leslie Jones' letter No. 2, dated the 3rd January 1907, regarding the arrangements in connection with alluvion and diluvion in the Rawalpindi tahsil of the Rawalpindi district and in the Fatehjang tahsil of the Attock district.

2. The rules* for assessment and procedure proposed for the former tahsil are approved, it being understood that except as provided in draft rule III the rules for procedure issued with Financial Commissioner's letter No. 4732, dated the 9th August 1895, will apply to both the tahsils in question.

* Page 81 of the Volume of Financial Commissioner's Selections.

3. The assessment rules for the Fatehjang tahsil are also approved.

No. 369, dated Lahore, 24th April 1907.

From—L. H. Leslie Jones, Esquire, Senior Secretary to the Financial Commissioner, Punjab,

To—The Chief Secretary to Government, Punjab.

I am directed to forward, in original, with its enclosure, a letter No. 1245, dated the 2nd April 1907, from the Settlement Commissioner, Punjab, in which it is proposed to include "rice" in the list of crops given in rule III (*i*) of the rules of assessment applicable to estates subject to the action of the Sil and Soan torrents in the Fatehjang tahsil sanctioned in Punjab Government letter No. 58. dated the 19th February 1907. The Financial Commissioner supports the recommendation.

No. 1245, dated Lahore, 2nd April 1907.

From—The Hon'ble Mr. J. M. Douie, C.S.I., Settlement Commissioner, Punjab,

To—The offg. Senior Secretary to the Financial Commissioner, Punjab.

With reference to your endorsement No. 1329, dated 1st March 1907, I have the honour to submit an extract from a letter No. 307, dated 21st March 1907, from the Settlement Officer of Rawalpindi, and to recommend that the addition to rule No. III of the Fatehjang alluvion and diluvion rules proposed by Mr. Kitchin may be sanctioned.

Extract paragraph 2 from a letter No. 307, dated 21st March 1907, from the Settlement Officer, Rawalpindi, to the Settlement Commissioner, Punjab.

Para. 2. In the rules for the assessment of the estates on the Sil and Soan in the Fatahjang tahsil, rice should have been included among the first class crops. This is my own mistake and was pointed out to me in Fatehjang. The area of rice on sailab lands is not large, but the crop is valuable and should not have been omitted from the first class. I regret the mistake and now ask for leave to add rice to the first class crops. In the orders which I am issuing to revenue subordinates, I am including rice among the first class crops, in anticipation of sanction.

First class crops will then be—

Sugarcane.
Maize.
Cotton.
Rice.
Wheat.
Vegetables (other than fodder).
Tobacco.

No. 202 S. (Rev. & Agri.—Rev.), dated Simla, 27th May 1907.

From—A. L. Danson, Esquire, Under-Secretary to Government, Punjab, Revenue Department,

To—The Senior Secretary to the Financial Commissioner, Punjab.

In reply to your letter No. 369, dated 24th April 1907 (sub-head III, file No. 57), I am directed to say that the officiating Lieutenant-Governor approves of the proposal to include "rice" in the list of first class crops given in rule III (*i*) of the rules of assessment applicable to estates subject to the action of the Sil and Soan torrents in the Fatehjang tahsil of the Attock district sanctioned in Mr. Kettlewell's letter No. 58, dated 19th February 1907.

V.—Patwaris Scheme.

No. 3684, dated 9th June 1905.

From—The Senior Secretary to the Financial Commissioner, Punjab,

To—The Settlement Commissioner, Punjab.

I am directed to acknowledge the receipt of your letter No. 1968, dated 15th May 1905, in which you support the proposals of the Settlement Officer for the revision of the patwari establishment of the tahsils included in the Rawalpindi Settlement.

2. These proposals are (*a*) that the present strength or the patwaris should be increased as follows:—

Tahsil.	
Rawalpindi	from 64 to 76
Gujar Khan	„ 64 „ 74
Kahuta	„ 35 „ 43
Murree	„ 20 „ 24
Fatehjang	„ 44 „ 50
Pindigheb	„ 40 „ 50
	267 „ 317 = 50

(*b*) that the number of Assistant patwaris should be raised from 19 to 20 by adding 1 Assistant patwari to the strength of the Rawalpindi tahsil.

(*c*) that the pay of the patwaris should be graded according to the standard proportions, but that the present number of first grade appointments which are in excess of the standard of 25 per cent. should remain unaltered until they can be gradually absorbed.

(*d*) that the assistant patwaris should be paid at the rate of Rs. 8 instead of as formerly Rs. 7 per mensem.

(*e*) that the existing allowance should be continued to all patwaris in the Murree Tahsil, to 5 patwaris in actual charge of circles in the Pahari assessment circles of Kahuta and to the Assistant patwaris of the Murree Tahsil.

3. The Financial Commissioner has considered these proposals and he thinks that the proposed increase of establishment has been fully justified. They are accordingly sanctioned, but in regard to paragraph 2 (*c*) above, I am to remark that care must be taken to secure the regular absorption of the excess 1st grade appointments and that the Financial Commissioner hopes that the Director Land Records will give the matter his attention after the close of Settement operations.

VI.—Water-Mills.

No. 233, dated Lahore, the 3rd of October 1906.

From—A. L. DANSON, Esquire, Under Secretary to Government, Punjab, Revenue Department,

To—The Senior Secretary to the Financial Commissioner, Punjab.

I AM directed to acknowledge the receipt of your letter No. 667, dated the 1st September 1906, (sub-head No. 91, File No. 427) and to say that the Lieutenant-Governor accepts the Financial Commissioner's opinion that there should be no separate assessment on water-mills in the Rawalpindi District or in the Tahsil Fatehjang and Pindigheb of the Attock District, in the present settlement. At the same time, where the income derived by the land-owners is considerable, it should be taken into consideration in fixing the assessment of the estate. Power should, however, be expressly reserved under rule 219 (*i*) of the Land Revenue Act to make a special assessment at any time.

2. I am at the same time to confirm the orders conveyed in Mr. Diack's letter No. 214, dated the 17th December 1904, in regard to the assessment of water-mills in the Attock tahsil.

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